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- Commodity Credit Corporation
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LIST OF CFR SECTIONS AFFECTED

January–March 1967

(Codification Guide)

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PART 8-14—INSPECTION AND ACCEPTANCE

Miscellaneous Amendments

1. Section 8-14.102-50 is revoked.

§ 8-14.102-50 Responsibility for collecting coal samples. [Revoked]

2. Section 8-14.105-51 is revised to read as follows:

§ 8-14.105 Places of inspection.

§ 8-14.105-51 Inspection of subsistence.

(a) The contracting officer will determine at time of issuance of the solicitation whether inspection for specification compliance will be made (1) prior to shipment by representatives of the Department of Agriculture or the Department of Interior or, (2) at time of delivery by personnel of the purchasing activity. The place of inspection will be indicated in the solicitation.

(b) When either the Department of Agriculture or the Department of Interior is indicated as the inspection activity, the solicitation will also provide that the contractor is responsible for:

(1) Arranging and paying for inspection services.

(2) Obtaining from the inspection activity a certificate indicating the product complies with specifications. Such certificate, or copy, should accompany the shipment or be furnished to the receiving installation prior to shipment. The contractor shall notify the installation when the certificate is not immediately available.

(3) Seeing that acceptable products are covered by an inspection agency checkloading certificate or stamped by the inspector as prescribed by the contracting officer. Products not so identified shall be rejected.

(4) Furnishing samples for inspection at his expense.

(5) Indicating the address where inspection will be made.

(c) The contracting officer will furnish a copy of the purchase document to the inspecting activity.

(Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); sec. 210(c), 72 Stat. 1114, 38 U.S.C. 210(c))

These regulations are effective immediately.

Approved: April 25, 1967.

By direction of the Administrator.

[SEAL] CYRIL F. BRICKFIELD,
Deputy Administrator.

[F.R. Doc. 67-4791; Filed, Apr. 28, 1967; 8:48 a.m.]

Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Valencia Orange Reg. 199]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.499 Valencia Orange Regulation 199.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and this part (Order No. 908, as amended), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553 (1966)) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on April 27, 1967.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., April 30, 1967, and ending at 12:01 a.m., P.s.t., May 7, 1967, are hereby fixed as follows:

(i) District 1: 465,606 cartons;

(ii) District 2: 134,731 cartons;

(iii) District 3: 275,000 cartons.

(2) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: April 28, 1967.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-4907; Filed, Apr. 28, 1967; 11:18 a.m.]

[Lemon Reg. 265]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.565 Lemon Regulation 265.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice,

engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553 (1966)) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on April 25, 1967.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., April 30, 1967, and ending at 12:01 a.m., P.s.t., May 7, 1967, are hereby fixed as follows:

(i) District 1: 2,260 cartons;

(ii) District 2: 251,100 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: April 27, 1967.

PAUL A. NICHOLSON,
Acting Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-4844; Filed, Apr. 28, 1967; 8:50 a.m.]

[Lime Reg. 23]

PART 911—LIMES GROWN IN FLORIDA

Quality and Size Regulation

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 911, as amended (7 CFR Part 911), regulating the handling of limes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Florida Lime Administrative Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of limes, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than May 1, 1967; determinations as to the need for, and extent of, regulation of Florida lime shipments must await the development of the crop and the availability of information on the demand for such fruit; the recommendations and supporting information for regulation of lime shipments subsequent to April 30, 1967, and in the manner herein provided, were promptly submitted to the Department after an open meeting of the Florida Lime Administrative Committee on April 12, 1967, held to consider recommendations for regulation; the provisions of this section are identical with the aforesaid recommendations of the committee, and information concerning such provisions has been disseminated among handlers of Florida limes; it is necessary, in order to effectuate the declared policy of the act, to make this section effective as hereinafter set forth so as to provide for the continued regulation of the handling of limes; and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

§ 911.325 Lime Regulation 23.

(a) *Order.* (1) During the period beginning at 12:01 a.m., e.s.t., May 1, 1967, and ending at 12:01 a.m., e.s.t., May 1, 1968, no handler shall handle:

(i) Any limes of the group known as true limes (also known as Mexican, West Indian, and Key limes and by other synonyms), grown in the production area, which do not meet the requirements of at least U.S. No. 2 grade for Persian (Tahiti) limes, except as to color;

(ii) Any limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) which do not grade at least U.S. Combination, Mixed Color, with not less than 75 percent, by count, of the limes in each container thereof grading at least U.S. No. 1, Mixed Color, and the remainder thereof grading not less than U.S. No. 2, Mixed Color; or

(iii) Any limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) which are of a size smaller than 1⅞ inches in diameter: *Provided,* That such limes which are of a size smaller than 1⅞ inches in diameter but not of a size smaller than 1⅝ inches in diameter may be handled if such smaller limes have an average juice content of at least 45 percent, by volume, are in one of the containers specified in paragraph (b)(1)(i) and (iii) of § 911.310 (Lime Reg. 8, as amended; 29 F.R. 8461, 30 F.R. 2521, 31 F.R. 8539), and contain the applicable quantity of limes prescribed by such containers.

(2) Notwithstanding the provisions of subdivision (iii) of subparagraph (1), not to exceed 10 percent, by count, of the limes in any lot of containers may fail to meet the applicable minimum size requirement: *Provided,* That no individual container of limes having a net weight of more than 3 pounds may have more than 15 percent, by count, of limes which fail to meet such applicable size requirement.

(b) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade and diameter, as used herein, shall have the same meaning as is given to the respective term in the U.S. Standards for Persian (Tahiti) Limes (§§ 51.1000-51.1016).

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: April 26, 1967.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-4808; Filed, Apr. 28, 1967; 8:49 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

HANDLING OF MILK IN CERTAIN DESIGNATED MARKETING AREAS, MASSACHUSETTS-RHODE ISLAND ET AL.

Order Amending Orders

7 CFR PART AND MARKETING AREA

1001 Massachusetts-Rhode Island
1003 Washington, D.C.
1004 Delaware Valley

7 CFR PART AND MARKETING AREA—Continued

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1006 Upper Chesapeake Bay
1008 Greater Wheeling
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1015 Connecticut
1031 Northwestern Indiana
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1108 Central Arkansas
1125 Puget Sound
1126 North Texas
1131 Central Arizona
1132 Texas Panhandle
1133 Inland Empire
1136 Great Basin
1137 Eastern Colorado
1138 Rio Grande Valley

Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of each of the aforesaid orders and of the previously issued amendments thereto*; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein. The following findings are hereby made with respect to each of the aforesaid orders.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the above-designated marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* (1) It is hereby found and determined that good cause exists for making this order effective as provided herein, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER (5 U.S.C. 553(d) (1966)).

(2) The nature of the change in Class I prices contemplated herein should affect producer returns beginning with milk delivered in May 1967. In order that dairy farmers may make necessary production plans for the immediate future, this order must be issued without delay. It is likewise necessary that milk handlers know promptly and with certainty the basis upon which the Class I prices which they will pay are to be determined.

(3) The decision of the Assistant Secretary containing all the provisions of this order was issued April 25, 1967. Therefore, the provisions of this order are known to handlers. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers.

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended:

(The following determination is made with respect to the order amending the orders regulating the handling of milk in the Massachusetts-Rhode Island, Washington, D.C., Tri-State, Greater Wheeling, Clarksburg, Appalachian, Connecticut, Upper Chesapeake Bay, Northwestern Indiana, Cincinnati, Dayton-Springfield, Columbus, Northeastern Ohio, Rock River Valley, Southern Michigan, Northwestern Ohio, Upstate Michigan, Northeastern Wisconsin, Louisville-Lexington-Evansville, Fort Wayne, Indianapolis, Central Illinois, Madison, St. Louis, Quad Cities-Dubuque, Kansas City, Nebraska-Western Iowa, Sioux City, Ozarks, Minneapolis-St. Paul, Duluth-Superior, Cedar Rapids-Iowa City, Neosho Valley, Wichita, Black Hills, Eastern South Dakota, Des Moines, Chattanooga, New Orleans, Northern Louisiana, Nashville, Knoxville, Mississippi, Oklahoma Metropolitan, Central Arkansas, Puget Sound, North Texas, Central Arizona, Texas Panhandle, Inland Empire, Great Basin, Eastern Colorado, and Rio Grande Valley marketing areas.)

(3) The issuance of the order amending the order is favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area; and

(The following determination is made with respect to the order amending the orders regulating the handling of milk in the Delaware Valley, Fort Smith, Memphis, Michigan Upper Peninsula, Milwaukee, North Central Iowa marketing areas.)

(4) The issuance of the order amending the order is favored by at least three-fourths of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the respective designated marketing areas shall be in conformity to and in compliance with the terms and conditions of the aforesaid orders as amended and as hereby further amended, as follows:

PART 1001—MILK IN MASSACHUSETTS-RHODE ISLAND MARKETING AREA

In § 1001.60, the introductory text of paragraph (e) preceding the table is revised to read as follows:

§ 1001.60 Class I price.

* * * * *

(e) Multiply the economic index price determined under paragraph (b) of this section by the supply-demand adjustment factor determined under paragraph

*With respect to Delaware Valley the findings and determinations hereinafter set forth are also supplementary and in addition to the findings and determinations set forth in the order amending the order attached to the Assistant Secretary's decision of Apr. 7, 1967 (32 F.R. 5876).

(c) of this section. The Class I price shall be the price set forth in column (3) of the following table opposite the range within which the result of this computation falls, except that from the effective date of this amendment the Class I price each month shall be $6.15 plus 20 cents through April 1968.

* * * * *

PART 1003—MILK IN WASHINGTON, D.C., MARKETING AREA

In § 1003.50, paragraph (a) is revised to read as follows:

§ 1003.50 Class prices.

* * * * *

(a) *Class I price.* The Class I price shall be the Class I price pursuant to Part 1004 (Delaware Valley) of this chapter minus 10 cents.

* * * * *

PART 1004—MILK IN DELAWARE VALLEY MARKETING AREA

§ 1004.50 [Amended]

1. Section 1004.50(a)(2) is revised to read as follows:

(2) Subject to the conditions set forth in subparagraphs (3), (4), and (5) of this paragraph the Class I price shall be that price indicated in the following Class I price schedule opposite the bracket in which the formula index computed pursuant to subparagraph (1) of this paragraph falls except that for the months through April 1968, 20 cents shall be added to such price. If such index value is not within a bracket, the price shall be determined by the adjacent index bracket which is the same as or nearest to the bracket in which the price was established in the previous quarter:

CLASS I PRICE SCHEDULE

[Price Per Hundredweight]

At least but less than: [1]

Formula index	*Class I price*
80.0–82.0	4.45
83.8–85.8	4.65
87.6–89.6	4.85
91.4–93.4	5.05
95.2–97.2	5.25
99.0–101.0	5.45
102.8–104.8	5.65
106.6–108.6	5.85
110.4–112.4	6.05
114.2–116.2	6.25
118.0–120.0	6.45

[1] If the formula index is more than 120.0 or less than 80.0 this table shall be extended at the same rate as the increase or decrease in the preceding bracket.

2. In § 1004.50(a)(3) delete the parenthetical phrase "(the price, less 15 cents, indicated for the first quarter for the bracket in which the formula index computed pursuant to subparagraph (1) of this paragraph falls)".

PART 1005—MILK IN TRI-STATE MARKETING AREA

§ 1005.50 [Amended]

1. In § 1005.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968 the basic formula price shall not be less than $4.05."

2. In § 1005.51(a), subparagraph (1) is changed to read as follows:

§ 1005.51 Class prices.

* * * * *

(a) * * *

(1) Add for plants in each respective district as follows: Charleston-Huntington, $1.60; Gallipolis-Scioto, $1.50; and Athens, $1.40, plus 20 cents for each district through April 1968. At a plant outside the marketing area add the amount applicable pursuant to this paragraph at the location of the city hall of the following cities that is nearest such plant:

KENTUCKY

Ashland. Pikeville.
Paintsville.

OHIO

Athens. Marietta.
Gallipolis. Portsmouth.
Jackson.

WEST VIRGINIA

Charleston. Huntington.
Hinton. Williamson.

* * * * *

PART 1008—MILK IN GREATER WHEELING, W. VA., MARKETING AREA

§ 1008.50 [Amended]

1. In § 1008.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968 the basic formula price shall not be less than $4.05."

2. In § 1008.51, the text of paragraph (a) preceding subparagraph (1) is changed to read as follows:

§ 1008.51 Class prices.

* * * * *

(a) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month plus $1.73, and plus 20 cents through April 1968, subject to the adjustment provided in subparagraph (1) of this paragraph:

* * * * *

PART 1009—MILK IN CLARKSBURG, W. VA., MARKETING AREA

§ 1009.50 [Amended]

1. In § 1009.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968 the basic formula price shall not be less than $4.05."

2. In § 1009.51, the text of paragraph (a) preceding subparagraph (1) is changed to read as follows:

§ 1009.51 Class prices.

* * * * *

(a) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month plus $1.98 and plus 20 cents through April 1968, subject to the adjustment provided in subparagraph (1) of this paragraph: *Provided,* That the Class I price shall be not more than 35 cents in excess of, nor less than 15 cents in excess of the average of the Class I prices for the same month pursuant to Part 1008 (Greater Wheeling) of this chapter and at Athens district plants pursuant to Part 1005 (Tri-State) of this chapter:

* * * * *

PART 1011—MILK IN APPALACHIAN MARKETING AREA

§ 1011.50 [Amended]

1. In § 1011.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall be not less than $4.05."

2. In § 1011.51 paragraph (a) is changed to read as follows:

§ 1011.51 Class prices.

* * * * *

(a) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month plus $1.93 and plus 20 cents through April 1968.

* * * * *

PART 1015—MILK IN CONNECTICUT MARKETING AREA

In § 1015.60, the introductory text of paragraph (e) preceding this table is revised to read as follows:

§ 1015.60 Class I price.

* * * * *

(e) Multiply the economic index price determined under paragraph (b) of this section by the supply-demand adjustment factor determined under paragraph (c) of this section. The Class I price shall be the price set forth in column (3) of the following table opposite the range within which the result of this computation falls, plus 47 cents, except that from the effective date of this amendment the Class I price each month shall be $6.62 plus 20 cents through April 1968.

* * * * *

PART 1016—MILK IN UPPER CHESAPEAKE BAY (MARYLAND) MARKETING AREA

In § 1016.50, paragraph (a) is revised to read as follows:

§ 1016.50 Class prices.

* * * * *

(a) *Class I price.* The Class I price shall be the Class I price pursuant to Part 1004 (Delaware Valley) of this chapter minus 10 cents.

* * * * *

PART 1031—MILK IN NORTHWESTERN INDIANA MARKETING AREA

§ 1031.50 [Amended]

1. In § 1031.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1031.51 the text of paragraph (a) preceding the first proviso is revised to read as follows:

§ 1031.51 Class prices.

* * * * *

(a) *Class I milk price.* The price for Class I milk shall be the basic formula price for the preceding month plus $1.16 and plus 20 cents through April 1968.

* * * * *

PART 1033—MILK IN GREATER CINCINNATI MARKETING AREA

§ 1033.50 [Amended]

1. In § 1033.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968 the basic formula price shall be not less than $4.05."

2. In § 1033.51, the text of paragraph (a) preceding subparagraph (1) is changed to read as follows:

§ 1033.51 Class prices.

* * * * *

(a) *Class I milk.* The price for Class I milk shall be the basic formula price for the preceding month plus $1.34 plus 20 cents through April 1968, and plus or minus a "supply-demand adjustment" of not more than 39 cents computed pursuant to subparagraphs (1) and (2) of this paragraph:

* * * * *

PART 1034—MILK IN DAYTON-SPRINGFIELD, OHIO, MARKETING AREA

§ 1034.50 [Amended]

1. In § 1034.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968 the basic formula price shall be not less than $4.05."

2. In § 1034.51, the text of paragraph (a) preceding subparagraph (1) is changed to read as follows:

§ 1034.51 Class I milk prices.

* * * * *

(a) Add $1.24 plus 20 cents through April 1968 to the basic formula price for the preceding month plus or minus a "supply-demand adjustment" of not more than 39 cents computed pursuant to subparagraphs (1) and (2) of this paragraph:

* * * * *

PART 1035—MILK IN COLUMBUS, OHIO, MARKETING AREA

§ 1035.50 [Amended]

1. In § 1035.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall be not less than $4.05."

2. In § 1035.51, the text of paragraph (a) preceding subparagraph (1) is changed to read as follows:

§ 1035.51 Class prices.

* * * * *

(a) *Class I milk.* The price for Class I milk shall be the basic formula price for the preceding month plus $1.25, plus 20 cents through April 1968, and plus or minus a "supply-demand adjustment" computed pursuant to subparagraphs (1), (2) and (3) of this paragraph:

* * * * *

PART 1036—MILK IN NORTHEASTERN OHIO MARKETING AREA

§ 1036.50 [Amended]

1. In § 1036.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall be not less than $4.05."

2. In § 1036.51, the language of paragraph (a) preceding subparagraph (1) thereof is changed to read as follows:

§ 1036.51 Class I milk prices.

* * * * *

(a) Add $1.67 plus 20 cents through April 1968 to the basic formula price for the preceding month, and add or subtract a "supply-demand adjustment" computed as follows:

* * * * *

PART 1038—MILK IN ROCK RIVER VALLEY MARKETING AREA

§ 1038.50 [Amended]

1. In § 1038.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall be not less than $4.05."

2. In § 1038.51 the text of paragraph (a) preceding the first proviso is revised to read as follows:

§ 1038.51 Class prices.

* * * * *

(a) *Class I milk price.* The price for Class I milk shall be the basic formula price for the preceding month plus $0.92 and plus 20 cents through April 1968: * * *

* * * * *

PART 1039—MILK IN MILWAUKEE, WIS., MARKETING AREA

§ 1039.50 [Amended]

1. In § 1039.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall be not less than $4.05."

2. In § 1039.51 the text of paragraph (a) preceding the first proviso is revised to read as follows:

§ 1039.51 Class prices.

* * * * *

(a) *Class I milk price.* The price for Class I milk shall be the basic formula price for the preceding month plus $0.88 and plus 20 cents through April 1968: * * *

* * * * *

PART 1040—MILK IN SOUTHERN MICHIGAN MARKETING AREA

§ 1040.50 [Amended]

1. In § 1040.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1040.51, paragraph (a) is changed to read as follows:

§ 1040.51 Class I milk price.

* * * * *

(a) To the basic formula price for the preceding month add $1.40, add 20 cents through April 1968, and add or subtract a "supply-demand adjustment" of not more than 45 cents computed pursuant to paragraph (b) of this section:

* * * * *

PART 1041—MILK IN NORTHWESTERN OHIO MARKETING AREA

§ 1041.50 [Amended]

1. In § 1041.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through March 1968, the basic formula price shall not be less than $4.05."

2. In § 1041.51, the introductory text and subparagraph (1) of paragraph (a) are changed to read as follows:

§ 1041.51 Class prices.

* * * * *

(a) *Class I milk price.* For the period from the effective date of this paragraph through March 1968, the monthly Class I milk price shall be the basic formula price for the preceding month, plus the sum of the amounts specified under subparagraphs (1) and (2) of this paragraph:

(1) $1.45, subject to adjustment for location pursuant to § 1041.53; and

* * * * *

PART 1043—MILK IN UPSTATE MICHIGAN MARKETING AREA

1. In § 1043.22 subparagraph (1) of paragraph (i) is changed to read as follows:

§ 1043.22 Duties.

* * * * *

(i) * * *

(1) By the 5th day of each month, the Class I price computed pursuant to § 1043.51(a) and the handler butterfat differential computed pursuant to § 1043.52, both for the current month; and the Class II price computed pursuant to § 1043.51(b) for the preceding month; and

* * * * *

§ 1043.50 [Amended]

2. In § 1043.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

3. In § 1043.51, paragraph (a) is changed to read as follows:

§ 1043.51 Class prices.

* * * * *

(a) *Class I milk.* The Class I milk price shall be the basic formula price for the preceding month plus $1.29 and plus 20 cents through April 1968.

* * * * *

PART 1044—MILK IN MICHIGAN UPPER PENINSULA MARKETING AREA

§ 1044.50 [Amended]

1. In § 1044.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall be not less than $4.05."

2. In § 1044.51, the text of paragraph (a) preceding subparagraph (1) is revised to read as follows:

§ 1044.51 Class prices.

* * * * *

(a) *Class I milk price.* The Class I milk price for plants located in Zone 1 shall be the basic formula price for the preceding month plus $0.95, plus 20 cents through April 1968, and plus or minus a supply-demand adjustment of not more than 24 cents computed pursuant to this paragraph. For plants located in Zone 1(a) the price shall be the price specified for Zone 1 less 10 cents; for plants located in Zone 2 the price shall be the price specified for Zone 1 plus 20 cents; and for plants located outside of the marketing area and west of Lake Michigan, the price (subject to § 1044.53) shall be that specified for Zone 1 and for plants located outside the marketing area and east of Lake Michigan, the price (subject to § 1044.53) shall be that specified for Zone 2. The supply-demand adjustment shall be computed as follows:

* * * * *

PART 1045—MILK IN NORTHEASTERN WISCONSIN MARKETING AREA

§ 1045.50 [Amended]

1. In § 1045.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1045.51, the text of paragraph (a) preceding subparagraph (1) is revised to read as follows:

§ 1045.51 Class I milk price.

* * * * *

(a) The basic formula price for the preceding month plus $0.74, plus 20 cents through April 1968, and plus or minus a supply-demand adjustment of not more than 24 cents computed as follows:

* * * * *

PART 1046—MILK IN LOUISVILLE-LEXINGTON-EVANSVILLE MARKETING AREA

§ 1046.50 [Amended]

1. In § 1046.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall be not less than $4.05."

2. In § 1046.51, the text of paragraph (a) preceding subparagraph (1) is changed to read as follows:

§ 1046.51 Class prices.

* * * * *

(a) *Class I milk.* The price for Class I milk shall be the basic formula price for the preceding month plus $1.29, plus 20 cents through April 1968, and plus or minus a supply-demand adjustment of not more than 50 cents computed pursuant to subparagraphs (1) through (6) of this paragraph:

* * * * *

PART 1047—MILK IN FORT WAYNE, IND., MARKETING AREA

§ 1047.50 [Amended]

1. In § 1047.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall be not less than $4.05."

2. In § 1047.51, the text of paragraph (a) preceding subparagraph (1) is changed to read as follows:

§ 1047.51 Class prices.

* * * * *

(a) *Class I milk price.* The price for Class I milk shall be the basic formula price for the preceding month plus $1.20, plus 20 cents through April 1968, and plus or minus a "supply-demand adjustment" of not more than 38 cents computed pursuant to subparagraphs (1) and (2) of this paragraph:

* * * * *

PART 1049—MILK IN INDIANAPOLIS, IND., MARKETING AREA

§ 1049.50 [Amended]

1. In § 1049.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall be not less than $4.05."

2. In § 1049.51, the text of paragraph (a) preceding subparagraph (1) is changed to read as follows:

§ 1049.51 Class prices.

* * * * *

(a) *Class I milk price.* The price for Class I milk shall be the basic formula price for the preceding month plus $1.27, plus 20 cents through April 1968, and plus or minus a "supply-demand adjustment" of not more than 38 cents computed pursuant to subparagraphs (1) and (2) of this paragraph:

* * * * *

PART 1050—MILK IN CENTRAL ILLINOIS MARKETING AREA

§ 1050.50 [Amended]

1. In § 1050.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1050.51, the text of paragraph (a) preceding the proviso is revised to read as follows:

§ 1050.51 Class prices.

* * * * *

(a) *Class I price.* The Class I price applicable at plants at which no location adjustment pursuant to § 1050.53 is applicable, shall, through June 30, 1968, be the basic formula price for the preceding month plus $1.19 and plus 20 cents through April 1968: * * *

* * * * *

PART 1051—MILK IN MADISON, WIS., MARKETING AREA

§ 1051.50 [Amended]

1. In § 1051.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1051.51, the text of paragraph (a) preceding the first proviso is revised to read as follows:

§ 1051.51 Class prices.

* * * * *

(a) *Class I milk price.* The price for Class I milk shall be the basic formula price for the preceding month plus $0.88; and plus 20 cents through April 1968: * * *

* * * * *

PART 1062—MILK IN ST. LOUIS, MO., MARKETING AREA

§ 1062.50 [Amended]

1. In § 1062.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1062.51(a), the first sentence is revised to read as follows:

§ 1062.51 Class prices.

* * * * *

(a) *Class I price.* The Class I price shall be the basic formula price for the preceding month plus $1.40, and plus 20 cents through April 1968. * * *

* * * * *

PART 1063—MILK IN QUAD CITIES-DUBUQUE MARKETING AREA

In § 1063.50, paragraph (a) and the text of paragraph (b) preceding the first proviso therein are revised to read as follows:

§ 1063.50 Basic formula and class prices.

* * * * *

(a) *Basic formula price.* The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent at the rate of the Chicago butter price times 0.12. The basic formula shall be rounded to the nearest cent. For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05.

(b) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month plus $1.10 and plus 20 cents through April 1968. * * *

* * * * *

PART 1064—MILK IN GREATER KANSAS CITY MARKETING AREA

§ 1064.50 [Amended]

1. In § 1064.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1064.51, the text of paragraph (a) preceding subparagraph (1) is revised to read as follows:

§ 1064.51 Class prices.

* * * * *

(a) *Class I milk.* The Class I price shall be the basic formula price for the preceding month plus $1.30, plus 20 cents through April 1968 and plus or minus a supply-demand adjustment of not more than 45 cents, computed as follows:

* * * * *

PART 1065—MILK IN NEBRASKA-WESTERN IOWA MARKETING AREA

§ 1065.50 [Amended]

1. In § 1065.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1065.51, paragraph (a) is changed to read as follows:

§ 1065.51 Class prices.

* * * * *

(a) *Class I milk.* The basic formula price for the preceding month plus $1.40 for pool plants located in the Eastern zone; plus $1.55 in the Central zone; and plus $1.80 in the Western zone, plus 20 cents for each district through April 1968.

* * * * *

PART 1066—MILK IN SIOUX CITY, IOWA, MARKETING AREA

§ 1066.50 [Amended]

1. In § 1066.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1066.51, paragraph (a) is changed to read as follows:

§ 1066.51 Class prices.

* * * * *

(a) *Class I milk.* The price per hundredweight of Class I milk containing 3.5 percent butterfat shall be the basic formula price for the preceding delivery period, plus $1.40, plus 20 cents through April 1968.

* * * * *

PART 1067—MILK IN OZARKS MARKETING AREA

In § 1067.51, paragraph (a) is changed to read as follows:

§ 1067.51 Class prices.

* * * * *

(a) *Class I milk.* The Class I milk price at pool plants located in the marketing area shall be the Class I price announced for the 0 to 30 mile zone for each month under Part 1062 of this chapter regulating the handling of milk in the St. Louis marketing area less 25 cents, except that at pool plants located in Washington and Benton Counties, Ark., the price shall be 25 cents higher than at other marketing area locations.

* * * * *

PART 1068—MILK IN MINNEAPOLIS-ST. PAUL, MINN., MARKETING AREA

§ 1068.51 [Amended]

1. In § 1068.51, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. The text of § 1068.53 preceding the proviso is revised to read as follows:

§ 1068.53 Class I price.

Subject to the differentials provided in §§ 1068.55 and 1068.56(a) the price per hundredweight for Class I milk each month shall be the basic formula price for the preceding month computed pursuant to § 1068.51 plus $0.86, and plus 20 cents through April 1968. * * *

* * * * *

PART 1069—MILK IN DULUTH-SUPERIOR MARKETING AREA

§ 1069.50 [Amended]

1. In § 1069.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall be not less than $4.05."

2. In § 1069.51, paragraph (a) is changed to read as follows:

§ 1069.51 Class prices.

* * * * *

(a) *Class I milk.* The Class I price shall be the basic formula price for the preceding month plus $0.90 and plus 20 cents through April 1968.

* * * * *

PART 1070—MILK IN CEDAR RAPIDS-IOWA CITY MARKETING AREA

In § 1070.50, paragraph (a) and the text of paragraph (b) preceding the first proviso therein are revised to read as follows:

§ 1070.50 Basic formula and class prices.

* * * * *

(a) *Basic formula price.* The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent at the rate of the Chicago butter price times 0.12. The basic formula shall be rounded to the nearest cent. For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05.

(b) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month plus $1.10 and plus 20 cents through April 1968: * * *

* * * * *

PART 1071—MILK IN NEOSHO VALLEY MARKETING AREA

§ 1071.50 [Amended]

1. In § 1071.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the

effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1071.51, the text of paragraph (a) preceding subparagraph (1) is revised to read as follows:

§ 1071.51 Class prices.

* * * * *

(a) *Class I price.* The Class I price shall be the basic formula price for the preceding month plus $1.34 and plus 20 cents through April 1968: *Provided,* That the price so determined shall be further adjusted by subtracting any amount by which such price exceeds the higher of, or adding any amount by which such price is less than the lower of the following:

* * * * *

PART 1073—MILK IN WICHITA, KANS., MARKETING AREA

§ 1073.50 [Amended]

1. In § 1073.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall be not less than $4.05."

2. In § 1073.51, the text of paragraph (a) which precedes subparagraph (1) is changed to read as follows:

§ 1073.51 Class prices.

* * * * *

(a) *Class I milk.* The price for Class I milk at plants located in Zone 1 shall be the basic formula price for the preceding month plus $1.60, plus 20 cents through April 1968, subject to a supply-demand adjustment computed pursuant to subparagraphs (1) through (3) of this paragraph. Such price shall not be less than the Class I price for milk containing 3.5 percent butterfat for the same month pursuant to Federal Order No. 64 (Greater Kansas City), nor more than the Greater Kansas City Class I price (3.5 percent butterfat content) plus 60 cents:

* * * * *

PART 1075—MILK IN BLACK HILLS, S. DAK., MARKETING AREA

§ 1075.50 [Amended]

1. In § 1075.50, the last sentence is changed to read: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1075.51, paragraph (a) is changed to read as follows:

§ 1075.51 Class prices.

* * * * *

(a) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month plus $2.15, and plus 20 cents through April 1968.

* * * * *

PART 1076—MILK IN EASTERN SOUTH DAKOTA MARKETING AREA

§ 1076.50 [Amended]

1. In §1076.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1076.51, paragraph (a) is changed to read as follows:

§ 1076.51 Class prices.

* * * * *

(a) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month, plus $1.30, and plus 20 cents through April 1968, subject to the following adjustment: In any month in which the Class I price computed pursuant to § 1068.53 of the Minneapolis-St. Paul order (Part 1068 of this chapter) is increased or decreased more than 10.5 cents as a result of the supply-demand ratio computed thereunder, the Class I price shall be increased or decreased by whatever amount such adjustment exceeds 10.5 cents.

* * * * *

PART 1078—MILK IN NORTH CENTRAL IOWA MARKETING AREA

In § 1078.50, paragraph (a) and the text of paragraph (b) preceding the first proviso are revised to read as follows:

§ 1078.50 Basic formula and class prices.

* * * * *

(a) *Basic formula price.* The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent at the rate of the Chicago butter price times 0.12. The basic formula shall be rounded to the nearest cent. For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05.

(b) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month plus $1.05, and plus 20 cents through April 1968. * * *

* * * * *

PART 1079—MILK IN DES MOINES, IOWA, MARKETING AREA

In § 1079.50, paragraph (a) and the text of paragraph (b) preceding the first proviso are revised to read as follows:

§ 1079.50 Basic formula and class prices.

* * * * *

(a) *Basic formula price.* The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent at the rate of the Chicago butter price times 0.12. The basic formula shall be rounded to the nearest cent. For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05.

(b) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month plus $1.25, and plus 20 cents through April 1968. * * *

* * * * *

PART 1090—MILK IN CHATTANOOGA, TENN., MARKETING AREA

§ 1090.50 [Amended]

1. In § 1090.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1090.51(a), the introductory text and subparagraph (1) are changed to read as follows:

§ 1090.51 Class prices.

* * * * *

(a) *Class I milk price.* The price per hundredweight for Class I milk for the month shall be the basic formula price for the preceding month subject to the adjustments provided in subparagraphs (1) and (2) of this paragraph:

(1) Add $1.75, and plus 20 cents through April 1968.

* * * * *

PART 1094—MILK IN NEW ORLEANS, LA., MARKETING AREA

§ 1094.50 [Amended]

1. In § 1094.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1094.51, the text of paragraph (a) which precedes subparagraph (1) is changed to read as follows:

§ 1094.51 Class prices.

* * * * *

(a) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month plus $2.65, plus 20 cents through April 1968, and plus or minus a supply-demand adjustment calculated for each month pursuant to subparagraphs (1) through (6) of this paragraph:

* * * * *

PART 1096—MILK IN NORTHERN LOUISIANA MARKETING AREA

§ 1096.50 [Amended]

1. In § 1096.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the

effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1096.51, paragraph (a) is changed to read as follows:

§ 1096.51 Class prices.

* * * * *

(a) *Class I milk price.* The Class I milk price shall be the basic formula price for the preceding month plus $2.27 and plus 20 cents through April 1968.

* * * * *

PART 1097—MILK IN MEMPHIS, TENN., MARKETING AREA

§ 1097.50 [Amended]

1. In § 1097.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1097.51, the text of paragraph (a) preceding subparagraph (1) is revised to read as follows:

§ 1097.51 Class prices.

* * * * *

(a) *Class I price.* The Class I price shall be the basic formula price for the preceding month plus $1.74 and plus 20 cents through April 1968; and plus or minus a supply-demand adjustment computed as follows:

* * * * *

PART 1098—MILK IN NASHVILLE, TENN., MARKETING AREA

§ 1098.50 [Amended]

1. In § 1098.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1098.51, the text of paragraph (a) preceding subparagraph (1) is revised to read as follows:

§ 1098.51 Class prices.

* * * * *

(a) *Class I price.* The Class I price shall be the basic formula price for the preceding month plus $1.38 plus 20 cents through April 1968 and plus or minus a supply-demand adjustment calculated for each month as follows:

* * * * *

PART 1101—MILK IN KNOXVILLE, TENN., MARKETING AREA

§ 1101.50 [Amended]

1. In § 1101.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1101.51 the text of paragraph (a) preceding subparagraph (2) is changed to read as follows:

§ 1101.51 Class prices.

* * * * *

(a) *Class I milk price.* The price per hundredweight for Class I milk for the month shall be the basic formula price for the preceding month, subject to the adjustments provided in subparagraphs (1) and (2) of this paragraph:

(1) Add $1.50 and plus 20 cents through April 1968;

* * * * *

PART 1102—MILK IN FORT SMITH, ARK., MARKETING AREA

§ 1102.50 [Amended]

1. In § 1102.50, the last sentence is changed to read as follows:
purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1102.51, the text of paragraph (a) preceding subparagraph (1) is revised to read as follows:

§ 1102.51 Class prices.

* * * * *

(a) *Class I price.* The Class I price shall be the basic formula price for the preceding month plus $1.75, plus 20 cents through April 1968, and plus or minus a supply-demand adjustment computed as follows:

* * * * *

PART 1103—MILK IN MISSISSIPPI MARKETING AREA

§ 1103.50 [Amended]

1. § 1103.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1103.51, the text of paragraph (a) which precedes subparagraph (1) is changed to read as follows:

§ 1103.51 Class prices.

* * * * *

(a) *Class I milk price.* The minimum Class I price for the month shall be the basic formula price for the preceding month plus $2.27, plus 20 cents through April 1968 and plus or minus a supply-demand adjustment beginning in October 1967 computed pursuant to subparagraphs (1), (2) and (3) of this paragraph:

* * * * *

PART 1106—MILK IN OKLAHOMA METROPOLITAN MARKETING AREA

§ 1106.50 [Amended]

1. In § 1106.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1106.51 the text of paragraph (a) preceding subparagraph (1) is revised to read as follows:

§ 1106.51 Class prices.

* * * * *

(a) *Class I price.* The Class I price shall be the basic formula price for the preceding month plus $1.78 and plus 20 cents through April 1968. To this price add or subtract a "supply-demand adjustment" of not more than 50 cents computed as follows:

* * * * *

PART 1108—MILK IN CENTRAL ARKANSAS MARKETING AREA

§ 1108.50 [Amended]

1. In § 1108.50, the last sentence is changed to read as follows: "For the purpose of computing the Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1108.51 the text of paragraph (a) preceding subparagraph (1) is revised to read as follows:

§ 1108.51 Class prices.

* * * * *

(a) *Class I price.* The Class I price shall be the basic formula price for the preceding month plus $1.74, plus 20 cents through April 1968, and plus or minus a supply-demand adjustment computed as follows:

* * * * *

PART 1125—MILK IN PUGET SOUND, WASH., MARKETING AREA

§ 1125.50 [Amended]

1. In § 1125.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1125.51, paragraph (a) is changed to read as follows:

§ 1125.51 Class prices.

* * * * *

(a) *Class I milk.* The price for Class I milk shall be the basic formula price for the preceding month plus $1.65, and plus 20 cents through April 1968.

* * * * *

PART 1126—MILK IN NORTH TEXAS MARKETING AREA

§ 1126.50 [Amended]

1. In § 1126.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1126.51 the text of paragraph (a) preceding subparagraph (1) is revised to read as follows:

§ 1126.51 Class prices.

* * * * *

(a) *Class I price.* The Class I price shall be the basic formula price for the preceding month plus $2.12 and plus 20 cents through April 1968; and subject to

a supply-demand adjustment of not more than 50 cents computed as follows:

* * * * *

PART 1131—MILK IN CENTRAL ARIZONA MARKETING AREA

§ 1131.50 [Amended]

1. In § 1131.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1131.51, the text of paragraph (a) which precedes subparagraph (1) is changed to read as follows:

§ 1131.51 Class prices.

* * * * *

(a) *Class I milk price.* The price for Class I milk shall be the basic formula price for the preceding month plus $2.30 and plus 20 cents through April 1968, and shall be increased or decreased by a "supply-demand adjustment" of not more than 50 cents computed as follows:

* * * * *

PART 1132—MILK IN TEXAS PANHANDLE MARKETING AREA

§ 1132.50 [Amended]

1. In § 1132.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1132.51, paragraph (a) is revised to read as follows:

§ 1132.51 Class prices.

* * * * *

(a) *Class I price.* The Class I price shall be the basic formula price for the preceding month plus $2.05, and plus 20 cents through April 1968.

* * * * *

PART 1133—MILK IN INLAND EMPIRE MARKETING AREA

§ 1133.50 [Amended]

1. In § 1133.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1133.51, paragraph (a) is changed to read as follows:

§ 1133.51 Class prices.

* * * * *

(a) *Class I milk price.* For each month the price for Class I milk shall be the basic formula price for the preceding month plus $1.90 and plus 20 cents through April 1968, adjusted by the amount, but not in excess of 50 cents for any month, computed pursuant to paragraph (d) of this section:

* * * * *

PART 1136—MILK IN GREAT BASIN MARKETING AREA

1. In § 1136.50, the text of paragraph (a) which precedes subparagraph (1) is changed to read as follows:

§ 1136.50 Class prices.

* * * * *

(a) *Class I milk price.* The price for Class I milk shall be the basic formula price for the preceding month plus $2.05, plus 20 cents through April 1968 and plus or minus the supply-demand adjustment with the total rounded to the nearest cent. The supply-demand adjustment shall be not more than 50 cents computed as follows:

* * * * *

§ 1136.51 [Amended]

2. In § 1136.51, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

PART 1137—MILK IN EASTERN COLORADO MARKETING AREA

§ 1137.50 [Amended]

1. In § 1137.50, the last sentence is changed to read: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1137.51, the text of paragraph (a) preceding subparagraph (1) is changed to read as follows:

§ 1137.51 Class prices.

* * * * *

(a) *Class I milk.* The Class I price shall be the basic formula price for the preceding month plus $2.10, plus 20 cents through April 1968, and plus or minus a supply-demand adjustment calculated for each month as follows:

* * * * *

PART 1138—MILK IN RIO GRANDE VALLEY MARKETING AREA

§ 1138.50 [Amended]

1. In § 1138.50, the last sentence is changed to read as follows: "For the purpose of computing Class I prices from the effective date hereof through April 1968, the basic formula price shall not be less than $4.05."

2. In § 1138.51, paragraph (a) is revised to read as follows:

§ 1138.51 Class prices.

* * * * *

(a) *Class I price.* The Class I price at plants located in Zone 1 (comprising all the counties in the marketing area except those specified in § 1138.52 as comprising Zones II and III) shall be the basic formula price for the preceding month plus $2.15 and plus 20 cents through April 1968. This price shall be increased or decreased by a supply-demand adjustment equal to the simple average of the supply-demand adjustments effective for the same month pursuant to the provisions of the Wichita, Kansas (Part 1073 of this chapter); Oklahoma Metropolitan (Part 1106 of this chapter); North Texas (Part 1126 of this chapter); Central Arizona (Part 1131 of this chapter); Great Basin (Part 1136 of this chapter); and Eastern Colorado (Part 1137 of this chapter) milk marketing orders. If the supply-demand adjustment in any of these markets is limited in its effect by another provision of the respective order, the supply-demand adjustment to be used in this computation shall be the net adjustment which determines the Class I price in such market.

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Effective date: May 1, 1967.

Signed at Washington, D.C., on April 26, 1967.

JOHN A. SCHNITTKER,
Under Secretary.

[F.R. Doc. 67-4806; Filed, Apr. 28 1967; 8:50 a.m.]

[Milk Orders 106, 126]

PART 1106—MILK IN OKLAHOMA METROPOLITAN MARKETING AREA

PART 1126—MILK IN NORTH TEXAS MARKETING AREA

Order Suspending Certain Provisions

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the orders regulating the handling of milk in the Oklahoma Metropolitan and North Texas marketing areas (7 CFR Parts 1106 and 1126), it is hereby found and determined that:

(a) The following provisions of the orders no longer tend to effectuate the declared policy of the Act for the month of May 1967.

(1) In § 1106.51(a) of the order regulating the handling of milk in the Oklahoma Metropolitan marketing area, the last sentence of the introductory text reading as follows: "To this price add or subtract a 'supply-demand adjustment' of not more than 50 cents (no supply-demand adjustment shall apply for each of the months of January through March 1967), computed as follows:" and subparagraphs (1), (2), and (3).

(2) In § 1126.51(a) of the order regulating the handling of milk in the North Texas marketing area, that portion of the last sentence of the introductory text reading as follows: "and subject to a supply-demand adjustment of not more than 50 cents (no supply-demand adjustment shall apply for each of the months of January through March 1967) computed as follows:" and subparagraphs (1), (2), (3), (4), (5), and (6).

(b) Thirty days notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) This suspension will continue for the month of May 1967 the elimination of the effect of supply-demand adjustors in the Oklahoma Metropolitan and North Texas orders that was provided for January through March 1967 by amendment issued December 28, 1966, on the basis of a public hearing held November 9, 1966, and for April 1967 by suspension order that was issued March 23, 1967. No interested party in these markets indicated opposition to the proposed action either at the hearing or in response to proposed suspension for the month of April. An industry group has completed its study of proposed improvements in the supply-demand adjustors. However, a hearing on proposed revisions to the orders has been delayed because of the workload of other hearings on emergency amendments to Class I prices.

Therefore, in view of the foregoing reasons, good cause exists for making this order effective May 1, 1967.

It is therefore ordered, That the aforesaid provisions of the orders are hereby suspended for the period May 1, 1967, through May 31, 1967.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Effective date: May 1, 1967.

Signed at Washington, D.C., on April 26, 1967.

JOHN A. SCHNITTKER,
Under Secretary.

[F.R. Doc. 67-4809; Filed, Apr. 28, 1967; 8:49 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regulations, 1967 Crop Oat Supplement]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1967 Crop Oat Loan and Purchase Program

The General Regulations Governing Price Support for the 1964 and Subsequent Crops (Revision 1) (31 F.R. 5941) and the 1966 and Subsequent Crops Oats Supplement (31 F.R. 4581), which contain regulations of a general nature with respect to price support loans and purchase operations, are further supplemented for the 1967 crop oats as follows:

Sec.
1421.2666 Purpose.
1421.2667 Availability.
1421.2668 Maturity of loans.
1421.2669 Deduction of storage charges.
1421.2670 Support rates and discounts.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

§ 1421.2666 Purpose.

This supplement contains additional program provisions which, together with the applicable provisions of the General Regulations Governing Price Support for the 1964 and Subsequent Crops and any amendments thereto and the oat supplement to such regulations for 1966 and subsequent crops, apply to loans and purchases for the 1967-crop oats.

§ 1421.2667 Availability and disbursement.

A producer desiring price support must request a loan on his eligible oats on or before April 30, 1968, in Alaska, Idaho, Maine, Michigan, Minnesota, Montana, North Dakota, Oregon, South Dakota, Washington, Wisconsin, and Wyoming, and by March 31, 1968, in all other States. To obtain price support through sales, a producer must give the appropriate ASCS county office notice of his intent to sell the oats to CCC on or before May 31, 1968, in the States named in this section and on or before April 30, 1968, in all other States.

§ 1421.2668 Maturity of loans.

Unless demand is made earlier, loans on oats stored in Alaska, Idaho, Maine, Michigan, Minnesota, Montana, North Dakota, Oregon, South Dakota, Washington, Wisconsin, and Wyoming, mature on May 31, 1968, and loans on oats stored in all other States mature on April 30, 1968.

§ 1421.2669 Deduction of storage charges.

The following tables are for use in computing deductions for storage charges for oats delivered to UGSA warehouses prior to maturity in accordance with the provisions of § 1421.2658.

Maturity date Apr. 30, 1968	Deduction (cents per bushel)	Maturity date May 31, 1968
(1)		
Prior to May 15, 1967	10	Prior to June 15, 1967.
May 15-June 20	9	June 16-July 21.
June 21-July 27	8	July 22-Aug. 27.
July 28-Sept. 2	7	Aug. 28-Oct. 3.
Sept. 3-Oct. 9	6	Oct. 4-Nov. 9.
Oct. 10-Nov. 15	5	Nov. 10-Dec. 16.
Nov. 16-Dec. 22	4	Dec. 17, 1967-Jan. 22, 1968.
Dec. 23, 1967-Jan. 28, 1968.	3	Jan. 23-Feb. 29.
Jan. 29-Mar. 5	2	Mar. 1-Apr. 5.
Mar. 6-Apr. 30, 1968	1	Apr. 6-May 31, 1968.

[1] Dates storage charges start, all dates inclusive.

§ 1421.2670 Support rates.

(a) *Basic support rates.* The basic county support rates for use in making loans and for use in settling loans and for purchases are listed below. Farm stored loans shall be made at the basic support rate for the county in which the oats were produced, adjusted by the Weed Control discount where applicable. Warehouse stored loans, farm stored loan settlements and purchases shall be made on the basis of the basic support rate for the county in which the oats were produced adjusted by the premiums and discounts shown in paragraph (b) of this section and any other discounts established by CCC, applicable to the grade and quality of the oats on which the loan or settlement is made. The basic county support rate applies to oats grading No. 3, having moisture not in excess of 14 percent.

	Rate per bushel
ALABAMA	
All counties	$0.74
ALASKA	
All counties	$1.23
ARIZONA	
All counties	$0.82
ARKANSAS	
All counties	$0.72

CALIFORNIA

County	Rate per bushel	County	Rate per bushel
Alameda	$0.77	Plumas	$0.73
Alpine	.75	Riverside	.77
Amador	.75	Sacramento	.75
Butte	.74	San Benito	.76
Calaveras	.75	San Bernardino	.77
Colusa	.75	San Diego	.77
Contra Costa	.77	San Francisco	.77
Del Norte	.73	San Joaquin	.76
El Dorado	.75	San Luis Obispo	.76
Fresno	.76	San Mateo	.77
Glenn	.74	Santa Barbara	.76
Humboldt	.75	Santa Clara	.77
Imperial	.77	Santa Cruz	.76
Inyo	.77	Shasta	.73
Kern	.77	Sierra	.73
Kings	.76	Siskiyou	.71
Lake	.75	Solano	.77
Lassen	.72	Sonoma	.76
Los Angeles	.78	Stanislaus	.76
Madera	.76	Sutter	.75
Marin	.77	Tehama	.73
Mariposa	.76	Trinity	.75
Mendocino	.75	Tulare	.76
Merced	.76	Tuolumne	.75
Modoc	.71	Ventura	.77
Mono	.76	Yolo	.76
Monterey	.76	Yuba	.74
Napa	.76		
Nevada	.73		
Orange	.77		
Placer	.74		

COLORADO	
All counties	$0.69
CONNECTICUT	
All counties	$0.72
DELAWARE	
All counties	$0.73
FLORIDA	
All counties	$0.78
GEORGIA	
All counties	$0.74

IDAHO

Ada	$0.69	Canyon	$0.69
Adams	.67	Caribou	.66
Bannock	.67	Cassia	.68
Bear Lake	.67	Clarke	.65
Benewah	.67	Clearwater	.67
Bingham	.65	Custer	.65
Blaine	.67	Elmore	.69
Boise	.69	Franklin	.67
Booner	.65	Fremont	.65
Bonneville	.65	Gem	.69
Boundary	.65	Gooding	.68
Butte	.65	Idaho	.66
Camas	.68	Jefferson	.65

IDAHO—Continued

County	Rate per bushel	County	Rate per bushel
Jerome	$0.68	Oneida	$0.67
Kootenai	.67	Owyhee	.69
Latah	.68	Payette	.69
Lemhi	.65	Power	.67
Lewis	.67	Shoshone	.65
Lincoln	.68	Teton	.65
Madison	.65	Twin Falls	.68
Minidoka	.68	Valley	.67
Nez Perce	.68	Washington	.68

ILLINOIS

Adams	$0.65	Lee	$0.65
Alexander	.68	Livingston	.65
Bond	.66	Logan	.65
Boone	.65	McDonough	.65
Brown	.65	McHenry	.65
Bureau	.65	McLean	.65
Calhoun	.66	Macon	.65
Carroll	.65	Macoupin	.66
Cass	.65	Madison	.67
Champaign	.65	Marion	.67
Christian	.65	Marshall	.65
Clark	.66	Mason	.65
Clay	.67	Massac	.68
Clinton	.67	Menard	.65
Coles	.65	Mercer	.65
Cook	.67	Monroe	.68
Crawford	.67	Montgomery	.66
Cumberland	.66	Morgan	.65
De Kalb	.65	Moultrie	.65
De Witt	.65	Ogle	.65
Douglas	.65	Peoria	.65
Du Page	.65	Perry	.68
Edgar	.65	Piatt	.65
Edwards	.68	Pike	.65
Effingham	.66	Pope	.69
Fayette	.66	Pulaski	.68
Ford	.65	Putnam	.65
Franklin	.68	Randolph	.68
Fulton	.65	Richland	.67
Gallatin	.69	Rock Island	.65
Greene	.66	Saint Clair	.68
Grundy	.65	Saline	.69
Hamilton	.68	Sangamon	.65
Hancock	.65	Schuyler	.65
Hardin	.69	Scott	.65
Henderson	.65	Shelby	.65
Henry	.65	Stark	.65
Iroquois	.65	Stephenson	.65
Jackson	.68	Tazewell	.65
Jasper	.67	Union	.68
Jefferson	.68	Vermilion	.65
Jersey	.66	Wabash	.68
Jo Daviess	.65	Warren	.65
Johnson	.68	Washington	.68
Kane	.65	Wayne	.68
Kankakee	.65	White	.68
Kendall	.65	Whiteside	.65
Knox	.65	Will	.66
Lake	.66	Williamson	.68
La Salle	.65	Winnebago	.65
Lawrence	.67	Woodford	.65

INDIANA

Adams	$0.66	Floyd	$0.68
Allen	.66	Fountain	.65
Bartholomew	.67	Franklin	.68
Benton	.65	Fulton	.66
Blackford	.66	Gibson	.68
Boone	.66	Grant	.66
Brown	.68	Greene	.68
Carroll	.66	Hamilton	.66
Cass	.66	Hancock	.66
Clark	.68	Harrison	.68
Clay	.66	Hendricks	.66
Clinton	.66	Henry	.66
Crawford	.68	Howard	.66
Daviess	.68	Huntington	.66
Dearborn	.69	Jackson	.68
Decatur	.67	Jasper	.65
De Kalb	.66	Jay	.66
Delaware	.66	Jefferson	.69
Dubois	.68	Jennings	.69
Elkhart	.67	Johnson	.66
Fayette	.66	Knox	.68

INDIANA—Continued

County	Rate per bushel	County	Rate per bushel
Kosciusko	$0.66	Randolph	$0.66
Lagrange	.67	Ripley	.69
Lake	.66	Rush	.66
La Porte	.67	Saint Joseph	.67
Lawrence	.68	Scott	.69
Madison	.66	Shelby	.66
Marion	.66	Spencer	.68
Marshall	.66	Starke	.66
Martin	.68	Steuben	.67
Miami	.66	Sullivan	.67
Monroe	.68	Switzerland	.69
Montgomery	.66	Tippecanoe	.66
Morgan	.66	Tipton	.66
Newton	.65	Union	.66
Noble	.66	Vanderburgh	.68
Ohio	.69	Vermillion	.65
Orange	.68	Vigo	.66
Owen	.66	Wabash	.66
Parke	.65	Warren	.65
Perry	.68	Warrick	.68
Pike	.68	Washington	.68
Porter	.66	Wayne	.66
Posey	.68	Wells	.66
Pulaski	.66	White	.66
Putnam	.66	Whitley	.66

IOWA

Adair	$0.65	Jefferson	$0.65
Adams	.65	Johnson	.65
Allamakee	.65	Jones	.65
Appanoose	.65	Keokuk	.65
Audubon	.64	Kossuth	.64
Benton	.65	Lee	.65
Black Hawk	.65	Linn	.68
Boone	.64	Louisa	.65
Bremer	.65	Lucas	.65
Buchanan	.65	Lyon	.62
Buena Vista	.64	Madison	.65
Butler	.64	Mahaska	.65
Calhoun	.64	Marion	.65
Carroll	.64	Marshall	.64
Cass	.65	Mills	.65
Cedar	.65	Mitchell	.64
Cerro Gordo	.64	Monona	.63
Cherokee	.63	Monroe	.65
Chickasaw	.65	Montgomery	.65
Clarke	.65	Muscatine	.65
Clay	.64	O'Brien	.63
Clayton	.65	Osceola	.62
Clinton	.65	Page	.65
Crawford	.63	Palo Alto	.64
Dallas	.64	Plymouth	.63
Davis	.66	Pocahontas	.64
Decatur	.65	Polk	.64
Delaware	.65	Pottawattamie	.65
Des Moines	.65	Peweshiek	.64
Dickinson	.63	Ringgold	.65
Dubuque	.65	Sac	.64
Emmet	.63	Scott	.65
Fayette	.65	Shelby	.64
Floyd	.64	Sioux	.62
Franklin	.64	Story	.64
Fremont	.65	Tama	.64
Greene	.64	Taylor	.65
Grundy	.64	Union	.65
Guthrie	.64	Van Buren	.65
Hamilton	.64	Wapello	.65
Hancock	.64	Warren	.65
Hardin	.64	Washington	.65
Harrison	.64	Wayne	.65
Henry	.65	Webster	.64
Howard	.65	Winnebago	.64
Humboldt	.64	Winneshiek	.65
Ida	.63	Woodbury	.63
Iowa	.65	Worth	.64
Jackson	.65	Wright	.64
Jasper	.64		

KANSAS

Allen	$0.68	Bourbon	$0.69
Anderson	.68	Brown	.67
Atchison	.68	Butler	.70
Barber	.71	Chase	.69
Barton	.69	Chautauqua	.70

KANSAS—Continued

County	Rate per bushel	County	Rate per bushel
Cherokee	$0.70	Marshall	$0.67
Cheyenne	.68	Meade	.71
Clark	.71	Miami	.68
Clay	.67	Mitchell	.67
Cloud	.67	Montgomery	.70
Coffey	.68	Morris	.68
Comanche	.71	Morton	.71
Cowley	.70	Nemaha	.67
Crawford	.69	Neosho	.69
Decatur	.67	Ness	.69
Dickinson	.68	Norton	.67
Doniphan	.68	Osage	.68
Douglas	.68	Osborne	.67
Edwards	.69	Ottawa	.67
Elk	.69	Pawnee	.69
Ellis	.68	Phillips	.66
Ellsworth	.68	Pottawatomie	.67
Finney	.70	Pratt	.70
Ford	.70	Rawlins	.68
Franklin	.68	Reno	.69
Geary	.68	Republic	.66
Gove	.69	Rice	.69
Graham	.68	Riley	.67
Grant	.70	Rooks	.67
Gray	.70	Rush	.69
Greeley	.69	Russell	.68
Greenwood	.69	Saline	.68
Hamilton	.70	Scott	.68
Harper	.71	Sedgwick	.70
Harvey	.69	Seward	.71
Haskell	.70	Shawnee	.68
Hodgeman	.69	Sheridan	.68
Jackson	.68	Sherman	.68
Jefferson	.68	Smith	.66
Jewell	.66	Stafford	.69
Johnson	.69	Stanton	.70
Kearny	.70	Stevens	.71
Kingman	.70	Sumner	.71
Kiowa	.70	Thomas	.68
Labette	.70	Trego	.68
Lane	.69	Wabaunsee	.68
Leavenworth	.69	Wallace	.69
Lincoln	.67	Washington	.66
Linn	.68	Wichita	.69
Logan	.69	Wilson	.69
Lyon	.68	Woodson	.68
McPherson	.69	Wyandotte	.69
Marion	.69		

KENTUCKY

All counties $0.74

LOUISIANA

All parishes $0.74

MAINE

All counties $0.72

MARYLAND

All counties $0.73

MASSACHUSETTS

All counties $0.72

MICHIGAN

Alcona	$0.65	Delta	$0.66
Alger	.67	Dickinson	.66
Allegan	.67	Eaton	.66
Alpena	.65	Emmet	.66
Antrim	.66	Genesee	.65
Arenca	.65	Gladwin	.65
Baraga	.66	Gogebic	.66
Barry	.67	Grand Traverse	.66
Bay	.65	Gratiot	.66
Benzie	.66	Hillsdale	.67
Berrien	.66	Houghton	.66
Branch	.66	Huron	.65
Calhoun	.66	Ingham	.66
Cass	.66	Iona	.66
Charlevoix	.66	Isoco	.65
Cheboygan	.66	Iron	.66
Chippewa	.67	Isabella	.66
Clare	.66	Jackson	.66
Clinton	.66	Kalamazoo	.67
Crawford	.65		

MICHIGAN—Continued

County	Rate per bushel	County	Rate per bushel
Kalkaska	.66	Newaygo	.67
Kent	.67	Oakland	.66
Keweenaw	.66	Oceana	.67
Lake	.67	Ogemaw	.65
Lapeer	.65	Ontonagon	.66
Leelanau	.66	Osceola	.66
Lenawee	.67	Oscoda	.65
Livingston	.66	Otsego	.66
Luce	.67	Ottawa	.67
Mackinac	.67	Presque Isle	.65
Macomb	.66	Roscommon	.65
Manistee	.67	Saginaw	.65
Marquette	.66	Saint Clair	.66
Mason	.67	Saint Joseph	.66
Mecosta	.66	Sanilac	.65
Menominee	.66	Schoolcraft	.67
Midland	.65	Shiawassee	.65
Missaukee	.66	Tuscola	.65
Monroe	.67	Van Buren	.67
Montcalm	.66	Washtenaw	.66
Montmorency	.65	Wayne	.66
Muskegon	.67	Wexford	.67

MINNESOTA

Aitkin	$0.61	Marshall	.55
Anoka	.63	Martin	.61
Becker	.57	Meeker	.61
Beltrami	.56	Mille Lacs	.61
Benton	.61	Morrison	.60
Big Stone	.58	Mower	.62
Blue Earth	.62	Murray	.59
Brown	.61	Nicollet	.62
Carlton	.62	Nobles	.60
Carver	.63	Norman	.55
Cass	.59	Olmsted	.62
Chippewa	.59	Otter Tail	.58
Chisago	.63	Pennington	.55
Clay	.56	Pine	.62
Clearwater	.56	Pipestone	.59
Cook	.63	Polk	.55
Cottonwood	.60	Pope	.59
Crow Wing	.60	Ramsey	.63
Dakota	.63	Red Lake	.55
Dodge	.62	Redwood	.60
Douglas	.59	Renville	.61
Faribault	.62	Rice	.62
Fillmore	.63	Rock	.60
Freeborn	.62	Roseau	.55
Goodhue	.62	Saint Louis	.62
Grant	.58	Scott	.63
Hennepin	.63	Sherburne	.62
Houston	.63	Sibley	.62
Hubbard	.58	Stearns	.61
Isanti	.62	Steele	.62
Itasca	.59	Stevens	.58
Jackson	.61	Swift	.59
Kanabec	.62	Todd	.60
Kandiyohi	.61	Traverse	.57
Kittson	.54	Wabasha	.62
Koochiching	.58	Wadena	.59
Lac Qui Parle	.59	Waseca	.63
Lake	.63	Washington	.63
Lake of the Woods	.56	Watonwan	.61
Le Sueur	.62	Wilkin	.57
Lincoln	.59	Winona	.63
Lyon	.59	Wright	.62
McLeod	.62	Yellow Medicine	.59
Mahnomen	.56		

MISSISSIPPI

All counties $0.73

MISSOURI

Adair	$0.67	Buchanan	.69
Andrew	.67	Butler	.69
Atchison	.66	Caldwell	.69
Audrain	.66	Callaway	.68
Barry	.70	Camden	.69
Barton	.69	Cape Girardeau	.68
Bates	.68	Carroll	.68
Benton	.68	Carter	.69
Bollinger	.69	Cass	.68
Boone	.68		

MISSOURI—Continued

County	Rate per bushel	County	Rate per bushel
Cedar	.68	Moniteau	.69
Chariton	.68	Monroe	.66
Christian	.70	Montgomery	.68
Clark	.65	Morgan	.69
Clay	.69	New Madrid	.69
Clinton	.69	Newton	.69
Cole	.69	Nodaway	.66
Cooper	.69	Oregon	.70
Crawford	.69	Osage	.69
Dade	.68	Ozark	.70
Dallas	.69	Pemiscot	.69
Daviess	.68	Perry	.68
De Kalb	.68	Pettis	.69
Dent	.69	Phelps	.69
Douglas	.70	Pike	.65
Dunklin	.69	Platte	.69
Franklin	$0.69	Polk	.68
Gasconade	.69	Pulaski	.69
Gentry	.67	Putnam	.67
Greene	.69	Ralls	.65
Grundy	.67	Randolph	.67
Harrison	.67	Ray	.69
Henry	.68	Reynolds	.69
Hickory	.68	Ripley	.70
Holt	.67	Saint Charles	.67
Howard	.68	Saint Clair	.68
Howell	.70	Sainte Genevieve	.68
Iron	.69	St. Francois	.69
Jackson	.68	Saint Louis	.68
Jasper	.69	Saline	.68
Jefferson	.68	Schuyler	.67
Johnson	.68	Scotland	.66
Knox	.66	Scott	.68
Laclede	.69	Shannon	.69
Lafayette	.68	Shelby	.66
Lawrence	.69	Stoddard	.69
Lewis	.65	Stone	.70
Lincoln	.67	Sullivan	.67
Linn	.68	Taney	.70
Livingston	.68	Texas	.69
McDonald	.70	Vernon	.68
Macon	.67	Warren	.68
Madison	.69	Washington	.69
Maries	.69	Wayne	.69
Marion	.65	Webster	.69
Mercer	.68	Worth	.66
Miller	.69	Wright	.69
Mississippi	.68		

MONTANA

Beaverhead	$0.64	McCone	.53
Big Horn	.58	Madison	.62
Blaine	.55	Meagher	.59
Broadwater	.60	Mineral	.64
Carbon	.59	Missoula	.63
Carter	.56	Musselshell	.57
Cascade	.59	Park	.60
Chouteau	.57	Petroleum	.56
Custer	.55	Phillips	.54
Daniels	.52	Pondera	.58
Dawson	.52	Powder River	.56
Deer Lodge	.62	Powell	.62
Fallon	.53	Prairie	.54
Fergus	.57	Ravalli	.63
Flathead	.62	Richland	.52
Gallatin	.60	Roosevelt	.51
Garfield	.54	Rosebud	.56
Glacier	.59	Sanders	.64
Golden Valley	.58	Sheridan	.51
Granite	.63	Silver Bow	.62
Hill	.56	Stillwater	.59
Jefferson	.61	Sweet Grass	.59
Judith Basin	.58	Teton	.58
Lake	.63	Toole	.58
Lewis and Clark	.61	Treasure	.57
Liberty	.57	Valley	.53
Lincoln	.64	Wheatland	.58
		Wilbaux	.53
		Yellowstone	.59

NEBRASKA

Adams	$0.64	Arthur	.62
Antelope	.61	Banner	.62

NEBRASKA—Continued

County	Rate per bushel	County	Rate per bushel
Blaine	.61	Kearney	.64
Boone	.62	Keith	.63
Box Butte	.62	Keya Paha	.60
Boyd	.60	Kimball	.63
Brown	.61	Knox	.61
Buffalo	.63	Lancaster	.65
Burt	.63	Lincoln	.63
Butler	.64	Logan	.62
Cass	.65	Loup	.61
Cedar	.62	McPherson	.62
Chase	.65	Madison	.62
Cherry	.61	Merrick	.62
Cheyenne	.63	Morrill	.62
Clay	.64	Nance	.62
Colfax	.63	Nemaha	.66
Cuming	.63	Nuckolls	.65
Custer	.62	Otoe	.65
Dakota	.63	Pawnee	.66
Dawes	.62	Perkins	.64
Dawson	.63	Phelps	.64
Deuel	.63	Pierce	.61
Dixon	.63	Platte	.62
Dodge	.64	Polk	.63
Douglas	.65	Red Willow	.65
Dundy	.66	Richardson	.66
Fillmore	.64	Rock	.61
Franklin	.65	Saline	.65
Frontier	.64	Sarpy	.65
Furnas	.65	Saunders	.65
Gage	.66	Scotts Bluff	.62
Garden	.62	Seward	.64
Garfield	.61	Sheridan	.62
Gosper	.64	Sherman	.62
Grant	.61	Sioux	.62
Greeley	.62	Stanton	.62
Hall	.63	Thayer	.65
Hamilton	.63	Thomas	.61
Harlan	.65	Thurston	.63
Hayes	.65	Valley	.62
Hitchcock	.66	Washington	.64
Holt	.61	Wayne	.62
Hooker	.61	Webster	.65
Howard	.62	Wheeler	.61
Jefferson	$0.65	York	.63
Johnson	.66		

NEVADA

All counties $0.79

NEW HAMPSHIRE

All counties $0.72

NEW JERSEY

All counties $0.73

NEW MEXICO

All counties $0.76

NEW YORK

All counties $0.74

NORTH CAROLINA

All counties $0.74

NORTH DAKOTA

Adams	$0.52	Hettinger	.51
Barnes	.54	Kidder	.53
Benson	.52	La Moure	.54
Billings	.51	Logan	.53
Bottineau	.50	McHenry	.50
Bowman	.52	McIntosh	.53
Burke	.49	McKenzie	.50
Burleigh	.52	McLean	.50
Cass	.54	Mercer	.50
Cavalier	.52	Mountrail	.49
Dickey	.54	Morton	.51
Divide	.49	Nelson	.53
Dunn	.50	Oliver	.51
Eddy	.53	Pembina	.52
Emmons	.52	Pierce	.51
Foster	.53	Ramsey	.52
Golden Valley	.51	Ransom	.54
Grand Forks	.53	Renville	.50
Grant	.51	Richland	.55
Griggs	.53	Rolette	.50

NORTH DAKOTA—Continued

County	Rate per bushel	County	Rate per bushel
Sargent	.54	Towner	.51
Sheridan	.51	Traill	.53
Sioux	.52	Walsh	.52
Slope	.51	Ward	.50
Stark	.51	Wells	.52
Steele	.53	Williams	.49
Stutsman	.54		

OHIO

County	Rate per bushel	County	Rate per bushel
Adams	$0.72	Licking	.69
Allen	.68	Logan	.69
Ashland	.69	Lorain	.70
Ashtabula	.73	Lucas	.68
Athens	.73	Madison	.69
Auglaize	$0.68	Mahoning	.73
Belmont	.74	Marion	.69
Brown	.71	Medina	.71
Butler	.68	Meigs	.73
Carroll	.73	Mercer	.66
Champaign	.69	Miami	.68
Clark	.69	Monroe	.74
Clermont	.70	Montgomery	.68
Clinton	.70	Morgan	.73
Columbiana	.73	Morrow	.69
Coshocton	.71	Muskingum	.72
Crawford	.69	Noble	.73
Cuyahoga	.71	Ottawa	.69
Darke	.67	Paulding	.67
Defiance	.67	Perry	.71
Delaware	.69	Pickaway	.69
Erie	.69	Pike	.72
Fairfield	.69	Portage	.72
Fayette	.69	Preble	.67
Franklin	.69	Putnam	.68
Fulton	.68	Richland	.69
Gallia	.73	Ross	.70
Geauga	.72	Sandusky	.69
Greene	.69	Scioto	.72
Guernsey	.73	Seneca	.69
Hamilton	.69	Shelby	.68
Hancock	.68	Stark	.72
Hardin	.68	Summit	.71
Harrison	.73	Trumbull	.73
Henry	.68	Tuscarawas	.72
Highland	.71	Union	.69
Hocking	.71	Van Wert	.67
Holmes	.71	Vinton	.72
Huron	.69	Warren	.69
Jackson	.72	Washington	.74
Jefferson	.74	Wayne	.71
Knox	.69	Williams	.68
Lake	.72	Wood	.68
Lawrence	.72	Wyandot	.69

OKLAHOMA

All counties $0.72

OREGON

County	Rate per bushel	County	Rate per bushel
Baker	$0.68	Lake	.70
Benton	.73	Lane	.72
Clackamas	.73	Lincoln	.73
Clatsop	.73	Linn	.72
Columbia	.73	Malheur	.68
Coos	.72	Marion	.73
Crook	.71	Morrow	.70
Curry	.72	Multnomah	.73
Deschutes	.71	Polk	.73
Douglas	.72	Sherman	.71
Gilliam	.71	Tillamook	.73
Grant	.70	Umatilla	.69
Harney	.69	Union	.69
Hood River	.73	Wallowa	.68
Jackson	.72	Wasco	.71
Jefferson	.71	Washington	.73
Josephine	.72	Wheeler	.71
Klamath	.70	Yamhill	.73

PENNSYLVANIA

All counties $0.74

RHODE ISLAND

County	Rate per bushel
All counties	$0.72

SOUTH CAROLINA

All counties $0.74

SOUTH DAKOTA

County	Rate per bushel	County	Rate per bushel
Aurora	$0.57	Jackson	.56
Beadle	.57	Jerauld	.57
Bennett	.57	Jones	.56
Bon Homme	.59	Kingsbury	.57
Brookings	.58	Lake	.57
Brown	.55	Lawrence	.55
Brule	.57	Lincoln	.60
Buffalo	.57	Lyman	.56
Butte	.55	McCook	.58
Campbell	.54	McPherson	.54
Charles Mix	.58	Marshall	.55
Clark	.56	Meade	.55
Clay	.61	Mellette	.57
Codington	.57	Miner	.57
Corson	.54	Minnehaha	.59
Custer	.58	Moody	.58
Davison	.57	Pennington	.56
Day	.56	Perkins	.54
Deuel	.58	Potter	.55
Dewey	.55	Roberts	.56
Douglas	.58	Sanborn	.57
Edmunds	.55	Shannon	.58
Falls River	.58	Spink	.56
Faulk	.55	Stanley	.56
Grant	$0.58	Sully	.56
Gregory	.57	Todd	.57
Haakon	.56	Tripp	.57
Hamlin	.57	Turner	.60
Hand	.56	Union	.61
Hanson	.57	Walworth	.55
Harding	.54	Washabaugh	.57
Hughes	.56	Yankton	.60
Hutchinson	.59	Ziebach	.55
Hyde	.56		

TENNESSEE

All counties $0.74

TEXAS

All counties $0.74

UTAH

All counties $0.76

VERMONT

All counties $0.72

VIRGINIA

All counties $0.73

WASHINGTON

County	Rate per bushel	County	Rate per bushel
Adams	$0.68	Lewis	$0.73
Asotin	.68	Lincoln	.68
Benton	.70	Mason	.73
Chelan	.71	Okanogan	.71
Clallam	.73	Pacific	.73
Clark	.73	Pend Oreille	.66
Columbia	.68	Pierce	.73
Cowlitz	.73	San Juan	.73
Douglas	.70	Skagit	.73
Ferry	.69	Skamania	.73
Franklin	.68	Snohomish	.73
Garfield	.68	Spokane	.67
Grant	.69	Stevens	.67
Grays Harbor	.73	Thurston	.73
Island	.73	Wahkiakum	.73
Jefferson	.73	Walla Walla	.68
King	.73	Whatcom	.73
Kitsap	.73	Whitman	.67
Kittitas	.71	Yakima	.71
Klickitat	.71		

WEST VIRGINIA

All counties $0.74

WISCONSIN

County	Rate per bushel	County	Rate per bushel
Adams	$0.65	Marathon	$0.65
Ashland	.65	Marinette	.66
Barron	.63	Marquette	.65
Bayfield	.64	Menominee	.65
Brown	.64	Milwaukee	.67
Buffalo	.63	Monroe	.65
Burnett	.63	Oconto	.65
Calumet	.64	Oneida	.66
Chippewa	.64	Outagamie	.64
Clark	.64	Ozaukee	.66
Columbia	.65	Pepin	.63
Crawford	.66	Pierce	.63
Dane	.66	Polk	.63
Dodge	.65	Portage	.65
Door	.64	Price	.65
Douglas	.63	Racine	.67
Dunn	.64	Richland	.66
Eau Claire	.64	Rock	.66
Florence	.66	Rusk	.64
Fond du Lac	.64	Saint Croix	.63
Forest	.66	Sauk	.66
Grant	.66	Sawyer	.64
Green	.66	Shawano	.65
Green Lake	.65	Sheboygan	.65
Iowa	.67	Taylor	.65
Iron	.66	Trempealeau	.64
Jackson	.65	Vernon	.65
Jefferson	.66	Vilas	.66
Juneau	.65	Walworth	.66
Kenosha	.67	Washburn	.63
Kewaunee	.64	Washington	.66
La Crosse	.64	Waukesha	.67
Lafayette	.67	Waupaca	.65
Langlade	.65	Waushara	.65
Lincoln	.65	Winnebago	.64
Manitowoc	.64	Wood	.65

WYOMING

All counties $0.66

(b) *Premiums and discounts.*

	Cents per bushel
Premiums: [1]	
Grade No. 2 or better	1
Test weight:	
Heavy	1
Extra heavy	2
Discounts:	
Grade No. 4 on the factor of test weight only but otherwise No. 3 or better	3
Grade No. 4 because of being "badly stained or materially weathered"	7
No. 4 on the factor of test weight and because of being badly stained" or "materially weathered"	10
Garlicky [2]	3
Weed control discount (where required by § 1421.74) [3]	10

[1] Premiums shall not be applicable to "badly stained or materially weathered oats."

[2] These discounts shall be in addition to other applicable discounts established by CCC to reflect the value of oats delivered to or acquired by CCC.

Effective date. Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on April 24, 1967.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 67-4737; Filed, Apr. 28, 1967; 8:45 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER A—LABORATORY ANIMAL WELFARE

PART 2—REGULATIONS

Demonstration of Compliance With Standards

Pursuant to the provisions of the Act of August 24, 1966, § 2.3 of Part 2, Subchapter A, Chapter I, Title 9, Code of Federal Regulations, is amended to read as follows:

§ 2.3 Demonstration of compliance with standards.

Each applicant must demonstrate that his facilities comply with the standards set forth in Part 3 of this subchapter. This may be done in any manner which the Director deems adequate to effectuate the purposes of the act, such as the examination of the applicant's facilities by a Division representative or the submission of an affidavit by the applicant to the effect that his facilities comply with such standards. Any such affidavit shall be subject to such verification as the Director shall prescribe. Upon request by the Veterinarian in Charge, the applicant must make his facilities available at a time or times mutually agreeable to said applicant and the Division for inspection by a Division representative for the purpose of ascertaining compliance with said standards. If the applicant's facilities do not meet the requirements of the standards, the applicant will be advised of existing deficiencies and the corrective measures that must be taken before such facilities will be in compliance with the standards.

(Secs. 3 and 21, 80 Stat. 351 and 353; 7 U.S.C. 2133, 2151)

The Laboratory Animal Welfare Act becomes effective as to dealers on May 25, 1967. To avoid disrupting the operations of dealers subject to the act and interfering with the supply of dogs and cats for research purposes, it is essential that all eligible dealers subject to the act be licensed on or before that date. It has been found that the Department will be unable to inspect the facilities of all dealers subject to the act in time to complete the licensing of all such dealers within the specified period. The amendment will permit the initial licensing of dealers under alternate procedures which the Director deems adequate to effectuate the purposes of the act.

In view of the foregoing, it is found upon good cause that notice and other public procedure on this amendment are impracticable and contrary to the public interest, and the amendment may be made effective in less than 30 days after publication thereof in the FEDERAL REGISTER.

The amendment shall become effective upon publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 26th day of April 1967.

R. J. ANDERSON,
Acting Administrator.

[F.R. Doc. 67-4815; Filed, Apr. 28, 1967; 8:50 a.m.]

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 78—BRUCELLOSIS

Subpart D—Designation of Modified Certified Brucellosis Areas, Public Stockyards, Specifically Approved Stockyards, and Slaughtering Establishments

MODIFIED CERTIFIED BRUCELLOSIS AREAS

Pursuant to § 78.16 of the regulations in Part 78, as amended, Title 9, Code of Federal Regulations, containing restrictions on the interstate movement of animals because of brucellosis, under sections 4, 5, and 13 of the Act of May 29, 1884, as amended; sections 1 and 2 of the Act of February 2, 1903, as amended; and section 3 of the Act of March 3, 1905, as amended (21 U.S.C. 111-113, 114a-1, 120, 121, 125), § 78.13 of said regulations designating modified certified brucellosis areas is hereby amended to read as follows:

§ 78.13 Modified certified brucellosis areas.

The following States, or specified portions thereof, are hereby designated as modified certified brucellosis areas:

Alabama. Autauga, Baldwin, Barbour, Bibb, Blount, Bullock, Butler, Calhoun, Chambers, Cherokee, Chilton, Choctaw, Clarke, Clay, Cleburne, Coffee, Colbert, Conecuh, Cossa, Covington, Crenshaw, Cullman, Dale, Dallas, De Kalb, Elmore, Escambia, Etowah, Fayette, Franklin, Geneva, Hale, Henry, Houston, Jackson, Jefferson, Lamar, Lauderdale, Lawrence, Lee, Limestone, Macon, Madison, Marion, Marshall, Mobile, Monroe, Montgomery, Morgan, Perry, Pickens, Pike, Randolph, Russell, St. Clair, Shelby, Sumter, Talladega, Tallapoosa, Tuscaloosa, Walker, Washington, Wilcox, and Winston Counties;

Alaska. The entire State except Kodiak, Sitkalidak, and Chirikof Islands;

Arizona. The entire State;

Arkansas. The entire State;

California. The entire State;

Colorado. Adams, Alamosa, Arapahoe, Archuleta, Baca, Bent, Boulder, Chaffee, Cheyenne, Clear Creek, Conejos, Costilla, Crowley, Custer, Delta, Denver, Dolores, Douglas, Eagle, Elbert, El Paso, Fremont, Garfield, Gilpin, Gunnison, Hinsdale, Huerfano, Jackson, Jefferson, Kiowa, Kit Carson, Lake, La Plata, Larimer, Las Animas, Lincoln, Logan, Mesa, Mineral, Moffat, Montezuma, Montrose, Morgan, Otero, Ouray, Park, Phillips, Pitkin, Prowers, Pueblo, Rio Blanco, Rio Grande, Saguache, San Juan, San Miguel, Sedgwick, Teller, Washington, Weld, and Yuma Counties; and Southern Ute Indian Reservation and Ute Mountain Ute Indian Reservation;

Connecticut. The entire State;

Delaware. The entire State;

Florida. Baker, Bay, Bradford, Calhoun, Citrus, Clay, Columbia, Dixie, Duval, Escambia, Flagler, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Holmes, Jackson, Jefferson, Lafayette, Leon, Levy, Liberty, Madison, Manatee, Nassau, Okaloosa, Santa Rosa, Sarasota, Suwannee, Taylor, Union, Wakulla, Walton, and Washington Counties;

Georgia. The entire State;

Hawaii. Honolulu, Kauai, and Maui Counties;

Idaho. The entire State;

Illinois. The entire State;

Indiana. The entire State;

Iowa. The entire State;

Kansas. The entire State;

Kentucky. The entire State;

Louisiana. Ascension, Assumption, Bienville, Claiborne, Jackson, Jefferson, Lafourche, Lincoln, Livingston, St. Charles, St. Helena, St. James, St. John the Baptist, St. Mary, St. Tammany, Tangipahoa, Tensas, Terrebonne, Union, Vernon, Washington, Webster, West Baton Rouge, and Winn Parishes;

Maine. The entire State;

Maryland. The entire State;

Massachusetts. The entire State;

Michigan. The entire State;

Minnesota. The entire State;

Mississippi. Alcorn, Amite, Attala, Benton, Chickasaw, Choctaw, Clarke, Clay, Covington, De Soto, Forrest, Franklin, George, Greene, Grenada, Hancock, Harrison, Itawamba, Jackson, Jasper, Jefferson, Jefferson Davis, Jones, Kemper, Lamar, Lauderdale, Lawrence, Leake, Lee, Lincoln, Lowndes, Marion, Monroe, Montgomery, Neshoba, Newton, Oktibbeha, Pearl River, Perry, Pike, Pontotoc, Prentiss, Simpson, Smith, Stone, Tallahatchie, Tate, Tippah, Tishomingo, Union, Walthall, Wayne, Webster, Winston, and Yalobusha Counties;

Missouri. The entire State;

Montana. The entire State;

Nebraska. Adams, Antelope, Banner, Boone, Buffalo, Burt, Butler, Cass, Cedar, Chase, Cheyenne, Clay, Colfax, Cuming, Custer, Dakota, Dawson, Deuel, Dixon, Dodge, Douglas, Dundy, Fillmore, Franklin, Frontier, Furnas, Gage, Gosper, Greeley, Hall, Hamilton, Harlan, Hayes, Hitchcock, Howard, Jefferson, Johnson, Kearney, Kimball, Knox, Lancaster, Madison, Merrick, Nance, Nemaha, Nuckolls, Otoe, Pawnee, Perkins, Phelps, Pierce, Platte, Polk, Red Willow, Richardson, Saline, Sarpy, Saunders, Seward, Sherman, Sioux, Stanton, Thayer, Thurston, Valley, Washington, Wayne, Webster, and York Counties;

Nevada. The entire State;

New Hampshire. The entire State;

New Jersey. The entire State;

New Mexico. The entire State;

New York. The entire State;

North Carolina. The entire State;

North Dakota. The entire State;

Ohio. The entire State;

Oklahoma. Adair, Alfalfa, Atoka, Bryan, Canadian, Cherokee, Choctaw, Cimarron, Coal, Craig, Delaware, Garfield, Grant, Greer, Harmon, Harper, Haskell, Jackson, Johnston, Kay, Kingfisher, Kiowa, Latimer, McCurtain, McIntosh, Major, Mayes, Noble, Nowata, Oklahoma, Okfuskee, Osage, Ottawa, Payne, Pushmataha, Texas, Washington, and Woods Counties;

Oregon. The entire State;

Pennsylvania. The entire State;

Rhode Island. The entire State;

South Carolina. The entire State;

South Dakota. Beadle, Bennett, Brookings, Brown, Buffalo, Butte, Campbell, Clark, Clay, Codington, Croson, Custer, Day, Deuel, Edmunds, Fall River, Faulk, Grant, Haakon, Hamlin, Hand, Hanson, Harding, Jackson, Jerauld, Kingsbury, Lake, Lawrence, Lincoln, McCook, McPherson, Marshall, Meade, Miner, Minnehaha, Moody, Pennington, Perkins,

Roberts, Sanborn, Shannon, Spink, Turner, Union, Walworth, Washabaugh, Yankton, and Ziebach Counties; and Crow Creek Indian Reservation;

Tennessee. The entire State;

Texas. Armstrong, Bailey, Baylor, Bell, Bexar, Blanco, Borden, Bosque, Brewster, Briscoe, Brooks, Brown, Caldwell, Callahan, Cameron, Carson, Castro, Childress, Cochran, Coke, Coleman, Collingsworth, Comal, Comanche, Concho, Coryell, Cottle, Crane, Crockett, Crosby, Culberson, Dallam, Dawson, Deaf Smith, Dickens, Donley, Duval, Eastland, Ector, Edwards, El Paso, Erath, Fisher, Gaines, Garza, Gillespie, Glasscock, Gray, Guadalupe, Hale, Hansford, Hardeman, Hartley, Haskell, Hays, Hidalgo, Hockley, Hood, Howard, Hutchinson, Irion, Jack, Jeff Davis, Jim Wells, Jones, Karnes, Kendall, Kent, Kimble, King, Kinney, Knox, Lamb, Lampasas, Lee Lipscomb, Live Oak, Llano, Lubbock, Martin, Mason, Medina, Menard, Midland, Mills, Mitchell, Moore, Motley, Nolan, Ochiltree, Oldham, Palo Pinto, Parker, Parmer, Pecos, Potter, Presidio, Randall, Reagan, Roberts, Runnels, San Saba, Schleicher, Scurry, Shackelford, Sherman, Somervell, Stephens, Sterling, Stonewall, Swisher, Taylor, Terrell, Terry, Throckmorton, Tom Green, Travis, Upton, Uvalde, Val Verde, Ward, Wheeler, Williamson, Wilson, Winkler, Yoakum, and Young Counties;

Utah. The entire State;

Vermont. The entire State;

Virginia. The entire State;

Washington. The entire State;

West Virginia. The entire State;

Wisconsin. The entire State;

Wyoming. Albany, Big Horn, Campbell, Carbon, Converse, Crook, Fremont, Goshen, Hot Springs, Johnson, Laramie, Lincoln, Natrona, Niobrara, Park, Platte, Sublette, Sweetwater, Teton, Uinta, Washakie, and Weston Counties;

Puerto Rico. The entire area; and

Virgin Islands of the United States. The entire area;

(Secs. 4, 5, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791–792, as amended, sec. 3, 33 Stat. 1265, as amended, sec. 2, 65 Stat. 693; 21 U.S.C. 111–113, 114a–1, 120, 121, 125; 29 F.R. 16210, as amended; 9 CFR 78.16)

Effective date. The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER.

The amendment adds the following additional areas to the list of areas designated as modified certified brucellosis areas because it has been determined that such areas come with the definition of § 78.1(i); the entire State of Alaska except Kodiak, Sitkalidak, and Chirikof Islands; Clay and Citrus Counties in Florida; Lafourche and St. Charles Parishes in Louisiana; Sioux and Red Willow Counties in Nebraska; Craig, Oklahoma, and Harper Counties in Oklahoma; Bennett, Haakon, Washabaugh, and Kingsbury Counties in South Dakota; Dallam, Deaf Smith, Glasscock, Hartley, Irion, Kimble, Llano, Menard, Midland, Reagan, Schleicher, Shackelford, Stonewall, and Terrell Counties in Texas.

The 14 above-named counties in Texas were deleted from the list of areas designated as modified certified brucellosis areas on March 17, 1967. Since that time, it has been determined that such counties again come within the definition of § 78.1(i); and therefore, they have been redesignated as modified certified brucellosis areas.

The amendment deletes the following areas from the list of areas designated as modified certified brucellosis areas because it has been determined that such areas no longer come within the definition of § 78.1(i): Andrews, Hall, McCulloch, Real, and Reeves Counties in Texas.

The amendment imposes certain restrictions necessary to prevent the spread of brucellosis in cattle and relieves certain restrictions presently imposed. It should be made effective promptly in order to accomplish its purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under the administrative procedure provisions of 5 U.S.C., § 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 26th day of April 1967.

G. H. WISE,
Acting Director, Animal Health Division, Agricultural Research Service.

[F.R. Doc. 67-4807; Filed, Apr. 28, 1967; 8:49 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Small Business Administration

Section 213.3332 is amended to show that the Assistant Administrator for Program Planning, Evaluation, and Research is no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (f) of § 213.3332 is revoked.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 67-4812; Filed, Apr. 28, 1967; 8:50 a.m.]

PART 213—EXCEPTED SERVICE

Office of Emergency Planning

Section 213.3326 is amended to show that the position of Director, Economic Affairs Office is no longer excepted under Schedule C and that the new position of Director, National Resource Analysis Center, is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, § 213.3326 is amended by revoking paragraph (g) and adding a new paragraph (o) as set out below.

§ 213.3326 Office of Emergency Planning.

* * * * *

(g) [Revoked]

* * * * *

(o) *National Resource Analysis Center.* (1) Director.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 67-4853; Filed, Apr. 28, 1967; 8:50 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Amdt. 24 (Rev. 3)]

PART 107—SMALL BUSINESS INVESTMENT COMPANIES

Surrender of License

Pursuant to authority contained in section 308 of the Small Business Investment Act of 1958, Public Law 85–699, 72 Stat. 694, as amended, there is amended, as set forth below, Part 107 of Subchapter B, Chapter I, of Title 13 of the Code of Federal Regulations, as revised in 29 F.R. 16946–16961, and amended in 30 F.R. 534, 1187, 2652, 2653, 2654, 3635, 3856, 7597, 7651, 8775, 8900, 11960, 13005, 14095, 14850, 14851, and 31 F.R. 2815, 4954, 4954–4955, 9720, 10114, 13532, and 32 F.R. 2769, by amending §§ 107.102, 107.205, 107.301, 107.402, and 107.704, and deleting § 107.1009.

Information and effective date. The present amendment provides a simplified procedure governing surrender of an SBIC license with prior SBA approval. Section 107.205 is revised to eliminate a number of conditions limiting a Licensee's eligibility for such SBA approval. For example, at present a Licensee is ineligible for SBA approval under § 107.205 unless it submits a plan of dissolution providing for liquidation of its assets, distribution of the proceeds to shareholders, surrender of its charter, and termination of Licensee's existence as a corporate entity. Other conditions of § 107.205 include, in the case of Licensees with private capital of $300,000 or more, that there has been no major change in Licensee's board of directors, or parties owning 10 or more percent of its stock, within 1 year preceding the proposed surrender of license; no reduction in paid-in capital and paid-in surplus by an offer for tenders addressed to shareholders within the preceding 2 years; a showing that substantial efforts have been made to operate successfully, but due to special circumstances Licensee has been unable to accomplish the purposes of the Act, and the establishment

of a 20 percent cash reserve against Licensee's outstanding investments for the purpose of meeting possible additional financing requirements of portfolio concerns.

The foregoing conditions are eliminated as part of the simplified procedure set forth in revised § 107.205. Under this procedure, any Licensee may request SBA approval with respect to the proposed surrender of its license. Its application for approval must be accompanied by payment in full of all debts owing to SBA, or the submission of a satisfactory plan for the fair and orderly liquidation and discharge of such debts within a reasonable period of time. Upon receipt of such application, SBA may remove Licensee's name from the published lists of Licensees and may, in its discretion, conduct an examination of Licensee's affairs. The Licensee may be required to take corrective measures for the elimination of existing violations, if any, before surrender of its license becomes effective. SBA's approval may be granted upon such reasonable terms and conditions as may be necessary or appropriate to safeguard the best interests of the SBIC program.

Section 107.704, *Voluntary capital decreases*, is also amended to eliminate the reference in paragraph (a) to dissolution under § 107.205, and the statement in paragraph (b)(2) that SBA will not approve a plan of dissolution under § 107.205 within 2 years after Licensee's consummation of a voluntary reduction of capital by an offer of tenders addressed to shareholders.

Recent administrative experience in areas affecting surrender of SBIC licenses indicates that the conditions set forth in § 107.205 are not reasonably necessary at the present time for the protection of small business and of the SBIC program. In the judgment of the Administration, a more flexible approach is appropriate in the present condition of the SBIC industry and fully consonant with the effective accomplishment of statutory objectives. This determination was made after careful reconsideration of the policy, and in the light of recent legislation.

Congress conferred on SBA administrative authority to revoke licenses in formal adjudicative proceedings instituted pursuant to section 309(a) of the Act (Small Business Investment Act Amendments, Public Law 89-779, approved on Nov. 6, 1966). It is noteworthy that Congress did not condition the exercise of SBA's administrative revocation powers on the requirement that the order of revocation impose conditions relating to the forfeiture of its franchise etc., or otherwise specific conditions. SBA was left free to determine, on a case-by-case basis, the reasonable terms and conditions appropriate to the situation of the Licensee, the license of which is being revoked. In view of the foregoing, it would appear that SBA's authority to approve license surrender should proceed on a case-by-case determination of reasonable conditions appropriate to the situation of a particular Licensee.

The use of multiple instruments to evidence the Licensee's indebtedness for §§ 107.301 and 107.402 funds was provided for in the last sentence of § 107.301(e), *Terms of subordinated debentures*, and § 107.402(a-1), *Operating loans*. These provisions specified that (1) subordinate debentures purchased by SBA shall, to the extent practicable, be issued in multiples of $50,000; and (2) operating loans shall, to the extent practicable, be granted in multiples of $50,000. Since SBA has determined that it is no longer necessary or desirable to have instruments suitable for substitution, the references in question to "multiples of $50,000" are being deleted.

Subparagraph (4) of § 107.102(d) incorporates a diversity-of-ownership requirement as part of the licensing standards applicable to new SBIC's. It provides, in pertinent part, that at least three (3) stockholders shall each own 10 or more percent of the Proposed Operator's voting stock. SBA has determined, after careful study of the matter, that it is advisable to eliminate the existing requirement as to diversity of ownership. Safeguards tending to alleviate potential problems related to single-ownership of new Licensees are provided by (1) the existing requirement for independent board members in § 107.102(d)(3) and (2) closer examination and surveillance procedures. Moreover, SBA's objective of encouraging increased capitalization on the part of Licensees may be hampered by a strict application of the present diversity-of-ownership rule.

The present amendment removes a number of existing restrictions in the present Regulation. It does not impose new burdens or requirements on Licensees. In the judgment of the Administration, public notice and proposed rule-making procedures would not serve a meaningful purpose.

In view of the further determination that it is necessary in the public interest that the present amendment shall be promptly applied in the administration of the SBIC program, said amendment shall become effective upon publication in the FEDERAL REGISTER.

The regulations Governing Small Business Investment Companies are hereby amended as follows:

§ 107.102 [Amended]

1. By deleting paragraph (d)(4) of § 107.102, *Filing and processing of proposal*.

2. By deleting § 107.205 in its entirety, and substituting therefor a new § 107.205, which shall read as follows:

§ 107.205 **License surrender.**

A Licensee shall not surrender its license without prior written approval of SBA. Requests for such approval shall be accompanied by Licensee's offer of immediate payment of all monetary obligations owing to SBA, or by a plan satisfactory to SBA for the fair and orderly liquidation and discharge of such obligations within a reasonable period of time. Upon receipt of Licensee's request for approval of its surrender of license, SBA may remove Licensee's name from its published lists of Licensees and may, in its discretion, conduct an examination of the Licensee to determine the existence of possible violations and to ascertain or verify, wherever necessary, the state of its affairs. Licensee may be required to eliminate existing violations of the Act or regulations before surrender of its license becomes effective. In granting its approval with respect to a proposed surrender, SBA may impose such reasonable terms and conditions as it may determine in the best interest of the SBIC program.

3. By deleting the last sentence of § 107.301(e) so that § 107.301(e) shall read as follows:

§ 107.301 **Subordinated debentures; minimum capital.**

* * * * *

(e) *Terms of subordinated debentures.* Such subordinated debentures shall contain such terms, conditions and interest rate as shall be determined by SBA. Maturities shall not exceed 20 years. Amortization of the debentures shall commence not later than the second half of their term, at a rate set by SBA.

* * * * *

§ 107.402 [Amended]

4. By deleting paragraph (a-1) of § 107.402.

5. By deleting paragraphs (a) and (b) of § 107.704 and substituting therefor as follows:

§ 107.704 **Voluntary capital decreases.**

(a) *Basic limitation.* A Licensee voluntarily may reduce its paid-in capital and paid-in surplus by an amount not exceeding one-third thereof at any time prior to August 1, 1966, and thereafter voluntarily may reduce its paid-in capital and paid-in surplus by an amount not exceeding one-third thereof at any time during each 2-year period immediately subsequent thereto: *Provided, however*, That a Licensee shall not voluntarily reduce its paid-in capital and paid-in surplus from private sources below $300,000. The largest amount of Licensee's paid-in capital and paid-in surplus ever outstanding shall be used in computing and applying the one-third limitation hereunder.

(b) *Manner of reduction.* Any voluntary reduction in paid-in capital and paid-in surplus consummated prior to July 29, 1964, shall be subtracted from the one-third amount permitted during the first 2 years prior to August 1, 1966. The one-third limitation specified hereunder may be exceeded in order to redeem any outstanding preferred stock, or to qualify as a regulated investment company pursuant to § 851 of the Internal Revenue Code of 1954, as amended, or to consummate a quasi-reorganization approved by SBA, or to comply with any contractual arrangements between the Licensee and its stockholders approved by SBA prior to July 29, 1964. Any voluntary reduction in paid-in capi-

tal and paid-in surplus permissible within the limitations set forth herein may be accomplished only by:

(1) A pro rata distribution; or

(2) An offer for tenders addressed to all shareholders.

* * * * *

§ 107.1009 [Deleted]

6. By deleting § 107.1009.

Dated: April 24, 1967.

BERNARD L. BOUTIN,
Administrator.

[F.R. Doc. 67-4801; Filed, Apr. 28, 1967; 8:49 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

SUBCHAPTER B—REGULATIONS UNDER THE FEDERAL POWER ACT

[Docket No. R-320; Order 342]

PART 32—INTERCONNECTION OF FACILITIES; EMERGENCIES; TRANSMISSION TO FOREIGN COUNTRY

Multiple Copies of Applications Required To Be Filed by Public Utilities

APRIL 21, 1967.

A recent survey within the Commission of the use to which copies of applications and other filings are put has disclosed that in several instances more copies are required to be filed than are actually needed. Accordingly, we are reducing the number of copies which will hereafter be required with respect to the following classes of applications:

Application under section 202(b) to establish physical connections.
Application for emergency connections of facilities.
Application to export electric energy.
Application for Presidential permit to maintain facilities at the international boundary.

The Commission finds:

(1) Since the amendments herein ordered reduce the number of copies of applications and other documents required to be filed with the Commission for its own use, it is unnecessary to comply with the notice and effective date provisions of section 4 of the Administrative Procedure Act.

(2) These amendments to the Commission regulations under the Federal Power Act are necessary and appropriate to the administration of that Act.

The Commission, acting pursuant to sections 308 and 309 of the Federal Power Act, as amended (49 Stat. 858; 16 U.S.C. 825g, 825h), orders:

(A) Effective upon the issuance of this order, Part 32, Subchapter B, Chapter I of Title 18 of the Code of Federal Regulations is amended as follows:

1. Section 32.4 is revised to read as follows:

§ 32.4 Form and style; number of copies.

An original and six conformed copies of an application under §§ 32.1 to 32.4 must be filed and must conform, in all other respects, to the requirements of §§ 1.15 through 1.17 of this chapter.

2. In § 32.22, the heading is revised to read as follows:

§ 32.22 Application for permanent connection for emergency use; contents; form and style; number of copies.

* * * * *

§ 32.24 [Revoked]

3. Since § 32.24, by virtue of the provisions of § 32.22 as revised in item 2, above, is repetitious, it is revoked.

4. Section 32.37 is revised to read as follows:

§ 32.37 Form and style; number of copies.

An original and six conformed copies of an application under §§ 32.30 through 32.37 must be filed and must conform, in all other respects, to the requirements of §§ 1.15 through 1.17 of this chapter.

5. In § 32.50, paragraph (a) is revised to read as follows:

§ 32.50 Who shall apply.

(a) Any person, firm, or corporation contemplating the construction of, or who is operating or maintaining facilities at the borders of the United States, for the transmission of electric energy between the United States and a foreign country, shall file with the Commission an original and eight conformed copies of an application for a Presidential permit, in compliance with Executive Order No. 10485, dated September 3, 1953 (3 CFR, 1949-53 Comp., p. 970).

* * * * *

(Secs. 308, 309, 49 Stat. 858; 16 U.S.C. 825g, 825h)

(B) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 67-4792; Filed, Apr. 28, 1967; 8:48 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 67-102]

PART 16—LIQUIDATION OF DUTIES

Countervailing Duties; Steel Units for Electrical Transmission Towers From Italy; Correction

Treasury Decision 67-102, published in the FEDERAL REGISTER on April 21, 1967 (32 F.R. 6274), gave notice that exports of galvanized fabricated structural steel units for the erection of electrical transmission towers from Italy receive bounties or grants within the meaning of section 303 of the Tariff Act of 1930 (19 U.S.C. 1303), and that such units will be subject to the payment of countervailing duties.

The statement in the fourth paragraph of the notice "after the expiration of 30 days after publication of this notice in the FEDERAL REGISTER" is corrected to read "after the expiration of 30 days after publication of this notice in the Customs Bulletin." The statement in the fifth paragraph of the notice "on the 31st day after the date of publication of this notice in the FEDERAL REGISTER" is corrected to read "on the 31st day after the date of publication of this notice in the Customs Bulletin."

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

Approved: April 26, 1967.

TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 67-4857; Filed, Apr. 28, 1967; 8:50 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter II—Forest Service, Department of Agriculture

[Reg. T-5]

PART 261—TRESPASS

Timber Uses Restricted

Section 261.6 of Title 36, Code of Federal Regulations, is amended, effective upon publication in the FEDERAL REGISTER, to read as follows:

§ 261.6 Timber uses restricted.

The following acts are prohibited on lands of the United States within National Forests:

(a) Cutting, killing, destroying, girdling, chipping, chopping, boxing, injuring, or otherwise damaging, or removing any timber or other forest product, except as authorized by law or regulation of the Secretary of Agriculture.

(b) Damaging or cutting under any contract of sale or permit, any living tree before it is marked or otherwise designated for cutting by a forest officer.

(c) Removing any timber or other forest product cut under contract of sale or permit, except to a place designated for scaling, or removing it from that place before scaled, measured, counted, or otherwise accounted for by a forest officer.

(d) Stamping, marking with paint or otherwise identifying any timber or other forest products belonging to the United States, in a manner similar to that employed by forest officers to mark or designate timber or other forest products for cutting or removal.

(30 Stat. 35 as amended, 16 U.S.C. 551)

Done at Washington, D.C., this 25th day of April 1967.

JOHN A. BAKER,
Assistant Secretary.

[F.R. Doc. 67-4787; Filed, Apr. 28, 1967; 8:48 a.m.]

Title 32—NATIONAL DEFENSE

Chapter V—Department of the Army

SUBCHAPTER F—PERSONNEL

PART 577—MEDICAL AND DENTAL ATTENDANCE

Dependents' Medical Care

Sections 577.60–577.72 are revoked and the following substituted therefor:

Sec.
577.60 General.
577.61 Eligibility.
577.62 Identification forms and procedures.
577.63 Sources of health benefits for dependents and retired members.
577.64 Health benefits at facilities of the uniformed services.
577.65 Civilian health benefits for dependents and retired members.
577.66 Health benefits in miscellaneous circumstances.
577.67 Handicapped program.
577.68 Transportation.
577.69 The Federal Medical Care Recovery Act (42 U.S.C. 2651–2653).
577.70 Fiscal agents for payment of outpatient charges and claims for reimbursement for costs of inpatient and outpatient care in the United States, Puerto Rico, Canada, and Mexico.

AUTHORITY: The provisions of §§ 577.60 to 577.70 issued under sec. 3012, 70A Stat. 157; 10 U.S.C. 3012. Interpret or apply secs. 1071–1085, 72 Stat. 1445–1450, as amended; 10 U.S.C. 1071–1085.

SOURCE: AR 40–121, Feb. 13, 1967.

§ 577.60 General.

(a) *Purpose and scope.* (1) Sections 577.60–577.70 prescribe policies and procedures for administering the Uniformed Services Health Benefits Program authorized by chapter 55, title 10, United States Code for the following beneficiaries:

(i) Retired members of the uniformed services.

(ii) Dependents of active duty and retired members of the uniformed services.

(iii) Dependents of persons who at the time of their death were active duty or retired members of the uniformed services.

(2) Sections 577.60–577.70 are applicable to the uniformed services and is to be used in conjunction with the joint regulation, "Fiscal Policies—Uniformed Services Health Benefits Program" (AR 40–122/SECNAV Instruction 6320.9 series/AFR 170–18/PHS Division of Finance Circular No. 41/Coast Guard Commandant Instruction No. 6320.3).

(3) Sections 577.60–577.70 are effective as of 1 January 1967.

(b) *Definitions.* When used in §§ 577.60–577.70, the following terms have the meanings indicated:

(1) "Uniformed services" means the Army, the Navy, the Marine Corps, the Air Force, the Coast Guard, the Commissioned Corps of the Public Health Service, and the Commissioned Corps of the Environmental Science Services Administration.

(2) "Active duty member" means a person who is serving on active duty (or active duty for training) in a uniformed service pursuant to a call or order that does not specify a period of 30 days or less.

(3) "Retired member" means a member or former member of a uniformed service who is entitled to retired, retainer, or equivalent pay as a result of service in a uniformed service.

(4) "Deceased member" means a person who died while he was an active duty member or retired member as these terms are defined in subparagraphs (2) and (3) of this paragraph.

(5) "Dependent" means a person who bears any of the following relationships to an active duty or retired member of a uniformed service, or to a person who at the time of his death was an active duty or retired member of a uniformed service:

(i) The wife, regardless of whether or not actually dependent on the active duty or retired member.

(ii) The unremarried widow, regardless of whether or not actually dependent on the active duty or retired member at the time of his death.

(iii) The husband, if he is dependent on the active duty or retired member for over one-half of his support.

(iv) The unremarried widower, if he was dependent on the active duty or retired member at the time of her death for over one-half of his support because of a mental or physical incapacity.

(v) An unmarried legitimate child, including an adopted child or stepchild, who either—

(*a*) Has not passed his 21st birthday, regardless of whether or not he is dependent on the active duty or retired member; or

(*b*) Has passed his 21st birthday but is incapable of self-support because of a mental or physical incapacity that existed before his 21st birthday and is, or was at the time of death of the active duty or retired member, dependent on him for over one-half of his support; or

(*c*) Has not passed his 23d birthday and is enrolled in a full-time course of study in an institution of higher learning approved by the Secretary of Defense or Secretary of Health, Education, and Welfare, as the case may be, and is, or was at the time of death of the active duty or retired member, dependent on him for over one-half of his support. (Institutions meeting the above criteria are listed in "Education Director, Part 3, Higher Education," and/or "Accredited Higher Institutions" issued periodically by the Office of Education, U.S. Department of Health, Education, and Welfare. For determination as to approval of an institution not listed in either of the above directories or of a foreign institution of higher learning, a statement may be obtained from the Office of Education, U.S. Department of Health, Education, and Welfare, Washington, D.C. 20202.)

(vi) A parent or parent-in-law who either—

(*a*) Is dependent on the active duty or retired member for over one-half of his support and is residing in a dwelling place provided or maintained by the member; or

(*b*) Was at the time of death of the member dependent on him for over one-half of his support and was residing in a dwelling place provided or maintained by the member.

(6) "Secretary" means the Secretary of the Army, Navy (for the Navy and Marine Corps), or Air Force. For the other uniformed services (Coast Guard, the Commissioned Corps of the Public Health Service, and the Commissioned Corps of the Environmental Science Services Administration), this term means the Secretary of Health, Education, and Welfare.

(7) "United States" means all of the States and the District of Columbia.

(8) "Contractor" means the legal entity or agency with which the Government enters into a contract under the provisions of the Civilian Health and Medical Program of the Uniformed Services such as a State medical society, an insurance company, Blue Shield, or Blue Cross.

(9) Miscellaneous medical and technical terminology:

(i) "Inpatient care" is that care provided a patient in a hospital where he is carried on the records of the hospital as an inpatient.

(ii) "Outpatient care" means medical and medically related services and supplies which are provided to a patient who is not carried as an inpatient in a hospital.

(iii) "Maternity and infant care" means medical and surgical care for a mother incident to pregnancy, including prenatal care, delivery, postnatal care, care of an infant, and treatment of complications of pregnancy.

(iv) "Domiciliary or custodial care" means care which normally is given in a nursing home, convalescent home, or similar institution to a patient who requires personal care rather than active and definitive treatment in a hospital for a medical or surgical condition. It includes nursing care required as a result of old age.

(v) "Dental care as an adjunct to medical or surgical treatment" means that dental care which is determined by the cognizant physician and dentist to be an additional requirement in the proper treatment of a medical or surgical condition.

(c) *Administration*—(1) *Civilian health benefits in the United States, Puerto Rico, Canada, and Mexico.* (i) The Secretary of the Army, acting as executive agent for the Secretary of Defense and the Secretary of Health, Education, and Welfare, has the responsibility of contracting for health benefits from civilian sources, or otherwise arranging for payment to civilian sources of care, in the United States, Puerto Rico, Canada, and Mexico for persons authorized benefits under §§ 577.60–577.70. This responsibility has been delegated to The Surgeon General, Department of the Army.

(ii) The Executive Director, Office for the Civilian Health and Medical

Program of the Uniformed Services (OCHAMPUS), Office of The Surgeon General, Department of the Army, Denver, Colo. 80240, hereinafter referred to as the Executive Director, administers the portion of the Uniformed Services Health Benefits Program referred to in subdivision (i) of this subparagraph.

(2) *Civilian health benefits outside the United States, Puerto Rico, Canada, and Mexico.* The Secretary of each of the uniformed services is responsible for health benefits provided in the medical facilities of his service worldwide and for providing for payment for authorized civilian health benefits for beneficiaries of his service in areas other than the United States, Puerto Rico, Canada, and Mexico. The Secretaries of the uniformed services have delegated authority to major oversea commanders (or commanders with comparable responsibility) to administer the Uniformed Services Health Benefits Program in areas outside the United States, Puerto Rico, Canada, and Mexico. In addition to §§ 577.60–577.70, such commanders will be guided by the following regulations of the individual services:

(i) *Army.* AR 40–123 (Fiscal Procedures—Uniformed Services Health Benefits—Outside the United States, Puerto Rico, Canada, and Mexico).

(ii) *Navy.* BUMED Instruction 6322.6 series.

(iii) *Air Force.* AFR 168–4 (Civilian Medical Care for Eligible Beneficiaries in Areas Other Than CONUS, Alaska, Hawaii, Puerto Rico, Canada, and Mexico).

(iv) *Coast Guard.* Commandant Instruction 6320.4 series (Uniformed Services Health Benefits Outside the United States, Puerto Rico, Canada, and Mexico; Payment of Charges).

(3) *Disqualification of facilities.* If the Executive Director or the oversea commander determines that services provided by a hospital, institution, or other facility are substandard or the charges for services excessive, he may notify such facility that it is no longer qualified to participate in the program and deny payment by the Government for any services provided thereafter in that facility, except that institutionalized patients may remain at Government expense until arrangements can be made for their transfer to another institution or facility.

§ 577.61 Eligibility.

(a) *Persons eligible for health benefits*—(1) *Persons eligible for health benefits both in uniformed services facilities and from civilian sources.* (i) Spouses and children of active duty members.

(ii) Retired members who are not entitled to hospital insurance benefits under the Social Security Health Insurance Program for the Aged.

(iii) Spouses and children of retired and deceased members who are not entitled to hospital insurance benefits under the Social Security Health Insurance Program for the Aged.

(2) *Persons eligible for health benefits in uniformed services facilities only.* (i) Retired members who are entitled to hospital insurance benefits under the Social Security Health Insurance Program for the Aged.

(ii) Spouses and children of retired and deceased members who are entitled to hospital insurance benefits under the Social Security Health Insurance Program for the Aged.

(iii) Parents and parents-in-law of an active duty, retired, or deceased member who meet the dependency and residency requirements.

(3) *Exclusions.* (i) Family members who do not bear one of the relationships listed in subparagraphs (1) or (2) of this paragraph to a member, retired member, or deceased member are not eligible for health benefits even if they are or were at the time of his death totally dependent on the member or retired member.

(ii) A parent or parent-in-law is not entitled to medical care from civilian sources under the Uniformed Services Health Benefits Program regardless of the circumstances under which such care is received.

(b) *Beginning date of eligibility*—(1) *Spouses and children of active duty members.* (i) Spouses and children of active duty members have been eligible for civilian medical care authorized by the Dependents' Medical Act since December 7, 1956. Payment for civilian outpatient care received by such dependents prior to October 1, 1966 and civilian hospitalization received by such dependents prior to January 1, 1967 will be governed by the provisions of chapter 55, title 10, United States Code, in effect at that time.

(ii) Spouses and children of active duty members are eligible for the health benefits authorized by the Military Medical Benefits Amendments of 1966 (Public Law 89–614) on the dates indicated below:

(*a*) For civilian outpatient care—October 1, 1966.

(*b*) For the new types of civilian inpatient care—January 1, 1967.

(*c*) For the new types of care in uniformed services facilities—January 1, 1967.

(*d*) For the civilian benefits authorized for the mentally retarded and physically handicapped—January 1, 1967.

(*e*) On the date the member enters on active duty if after the above effective dates.

(*f*) On the date an event occurs after the above effective dates which places an individual in the status of a dependent spouse or child as defined in § 577.60(b)(5) (e.g., marriage to a service member).

(2) Retired members and their spouses and children are eligible on the dates indicated below:

(i) For civilian inpatient and outpatient care—January 1, 1967.

(ii) For the new types of care authorized in uniformed services facilities—January 1, 1967.

(iii) A member who retires on or after January 1, 1967 becomes eligible for the civilian medical benefits authorized by Public Law 89–614 on midnight of the last day of his active duty. The retirement of a member on or after January 1, 1967, does not affect the eligibility of his spouse and children for civilian health benefits but does increase the portion of the charges which they must pay.

(3) Spouses and children of deceased members are eligible on the dates indicated below:

(i) If the sponsor's death occurred prior to January 1, 1967, his spouse and children are eligible for civilian inpatient and outpatient care and the new types of care authorized in uniformed services facilities on January 1, 1967.

(ii) The death of a member or retired member on or after January 1, 1967, does not affect the eligibility of his spouse and children for civilian health benefits. In the case of death of an active duty member, however, the portion of the charges which they must pay for civilian care increases.

(4) Parents and parents-in-law are eligible for the new types of care authorized in uniformed services facilities on January 1, 1967.

(c) *Changes in and termination of eligibility of beneficiaries*—(1) *Change in status of active duty or retired member.* (i) When a member's period of active duty ends (for any reason other than retirement or death) or he is officially placed in a desertion status, his dependents lose their eligibility for care in both civilian facilities and uniformed services facilities.

(ii) If a retired member ceases to be entitled to retired or retainer pay, or equivalent pay, for any reason, he and his dependents lose their eligibility for medical care in both uniformed services and civilian facilities.

(iii) The dependents of a military prisoner under a sentence to a punitive discharge retain their eligibility for care until such time as the discharge is executed.

(iv) A widower to be eligible for care must not only have been dependent on the service wife at the time of her death for over one-half of his support but the dependency must have been caused by a mental or physical incapacity. In contrast, during her lifetime the only requirement is that he be dependent on her for over one-half of his support.

(2) *Change in status of dependent.* (i) A wife or dependent husband who is divorced from a member loses eligibility for care in both civilian facilities and uniformed services facilities on the date the divorce becomes final. A wife does not lose eligibility through issuance of an interlocutory decree of divorce even when the court has approved a property settlement releasing the service member from responsibility for her support. A wife's eligibility for care depends on her relationship alone and she remains eligible so long as the relationship of husband and wife is not terminated by a final divorce decree. The eligibility of children is not affected by the divorce (except that a stepchild relationship would cease upon divorce of parent and stepparent), nor does the fact that the divorced wife of a service member remarries necessarily terminate a child's eligibility for care. However, adoption

of the child by a third party (other than a person whose dependents are eligible for care under the Uniformed Services Health Benefits Program) terminates the child's eligibility.

(ii) With the exception of children who are mentally or physically incapacitated and those who are enrolled in an approved institution of higher learning, children lose eligibility upon reaching age 21. If a child is married before reaching age 21 to a person whose dependents are not eligible for care under the Uniformed Services Health Benefits Program, eligibility ceases on the date of marriage. However, should the marriage be terminated, the child may again be entitled to care as a dependent child provided the eligibility requirements of paragraph (a) of this section are met.

(3) *Attainment of age 65.* Retired members and their spouses and children and the spouses and children of deceased members who become entitled to hospital insurance benefits under the Social Security Health Insurance Program for the Aged on attainment of age 65 lose their eligibility for benefits from civilian sources under the Civilian Health and Medical Program of the Uniformed Services. This includes civilian health benefits obtained outside the United States even though such benefits are not payable under the social security program. Entitlement to social security hospital insurance benefits does not affect the eligibility of these beneficiaries for care in uniformed services facilities.

(d) *Notice of termination of eligibility or change in eligibility status.* (1) Members being processed for separation or release from active duty, including those being retired, are required to complete section I, DD Form 1407 Dependent Medical Care and DD Form 1173 Statement), indicating whether or not they have a dependent receiving health benefits in a uniformed services facility or from civilian sources under the Uniformed Services Health Benefits Program. If a dependent is receiving care from civilian sources, the form will show whether he is receiving inpatient care, outpatient care, or care for the handicapped. The Public Health Service uses Form PHS-3209 for this purpose.

(2) When the DD Form 1407 (or Form PHS-3209) indicates that a member has a dependent receiving health benefits, the commander processing the member for separation or release from active duty will take the following action at the earliest possible time during processing and in no event any later than the date of release unless the member continues on active duty through reenlistment, commissioning, or other similar personnel action.

(i) When health benefits are being received from civilian sources by a dependent, notify the Executive Director, Office for the Civilian Health and Medical Program of the Uniformed Services, Office of The Surgeon General, Department of the Army, Denver, Colo. 80240, when the patient is in the United States, Puerto Rico, Canada, or Mexico, or the appropriate oversea commander when the patient is in an area other than those listed. Notice will be sent by message communication or other expeditious means, furnishing the name of the dependent; the name, grade, and service number of the member; date of the member's separation or release from active duty; the names and addresses of all known civilian sources of care; and whether the dependent is receiving inpatient care, outpatient care, or care for the handicapped.

(ii) When health benefits are being received in a uniformed services facility by a dependent of a member being processed for separation or release from active duty (other than retirement), notify the uniformed services facility concerned by message communication or other expeditious means, furnishing the name of the dependent; the name, grade, and service number of the member; and the date of the member's separation or release from active duty.

(3) When a member is officially placed in a desertion status, the commander effecting such action and who has reason to believe that the member has a dependent receiving health benefits shall accomplish the notification prescribed in subparagraph (2) of this paragraph, if he has or can readily obtain the pertinent information.

(4) When a commander learns that a dependent of a member of his command is receiving health benefits and that the status of the dependent has changed so that the said dependent is no longer entitled to such benefits, he will effect the notification prescribed in subparagraph (2) of this paragraph.

(5) Upon death of a member, his organization commander shall accomplish notification prescribed in subparagraph (2) of this paragraph, if he has reason to believe that the member has a dependent receiving care from civilian sources.

(6) When a retired member ceases to be entitled to retired or retainer pay, or equivalent pay, the official making such a determination will notify the Executive Director, or appropriate oversea commander that he and his dependents are no longer entitled to health benefits. Notification will include the name, grade, and service number of the retired member and his last known address and the names and relationships of his dependents and their address of record.

(7) When the Executive Director or the oversea commander receives a notice of eligibility termination or change in eligibility status on a beneficiary who is receiving civilian health benefits, he will notify the contractors and all civilian sources of health benefits by any expeditious means deemed appropriate that the dependent's eligibility for health benefits under the program terminated or will terminate on a specified date, or that the portion of the charges which is the patient's responsibility has increased because of retirement of the sponsor. Additionally, when the Executive Director receives information that a retired member and his dependents are no longer entitled to health benefits because the member has ceased to be entitled to retired pay, he will forward this information to the appropriate contractor or contractors.

§ 577.62 Identification forms and procedures.

(a) *Identification forms.* (1) DD Form 2 (Ret) (Gray), Armed Forces Identification Card, is prescribed for identification of retired members of all of the uniformed services except the Commissioned Corps of the Public Health Service. Form PHS-1866-3 (Ret) (Gray), Public Health Service Identification Card, is prescribed for retired members of the Commissioned Corps of the Public Health Service.

(2) DD Form 1173 (Uniformed Services Identification and Privilege Card) is prescribed for identification of dependents seeking health benefits either in uniformed services facilities or from civilian sources. Application for a DD Form 1173 will be made by submitting a DD Form 1172 (Application for Uniformed Services Identification and Privilege Card) as prescribed by the directives listed in paragraph (b) of this section. It is incumbent upon each member and retired member of the uniformed services to insure that his eligible dependents obtain and keep in their possession a DD Form 1173 and that a new DD Form 1173 is obtained upon expiration date shown on the form for those dependents whose eligibility continues beyond that date.

(b) *Determination of eligibility.* Determination of a person's eligibility for care is a responsibility of the uniformed service of which the retired member or sponsor is, or was at the time of his death, a member. Procedures for determination of eligibility and issue of DD Form 2 (Ret) (Gray), Form PHS-1866-3 (Ret) (Gray), and DD Form 1173 are prescribed by the following directives of the individual services:

(1) *Army.* AR 606-5 (Identification Cards, Tags, and Badges).

(2) *Navy.* (i) BUPERS Manual, article B-2104 (identification cards for members entitled to retired pay, DD Form 2N (RETIRED); BUPERS directives in the 5512 series concerning identification cards.

(ii) BUPERSINST 1750.5 series, Uniformed Services Identification and Privilege Card (DD Form 1173); regulations governing.

(3) *Marine Corps.* MARCORPS PERSMAN (MCO P5000.3), paragraph 11051.

(4) *Air Force.* AFR 30-20 (Issue and Control of Identification Cards).

(5) *U.S. Public Health Service.* (1) CC 26.1b, Personnel Guide 1, Public Health Service Commissioned Corps Personnel Manual.

(2) Dependents' Medical Care Circular No. 2.

(6) *Coast Guard.* Personnel Manual (CG 207, ch. 16, sec. L, and ch. 18).

(7) *Environmental Science Services Administration.* No published regulations. Identification cards are issued by Headquarters, ESSA, or the applications are verified by Headquarters, ESSA, and

presented to any uniformed services facility for issuance of a card.

NOTE: See changes to the regulations listed in paragraph (b) of this section for persons who must obtain new identification cards showing eligibility for medical benefits effective January 1, 1967.

(c) *Procedures.* Except as indicated in subparagraphs (1) and (2) of this paragraph, when requesting health benefits from uniformed services facilities or from civilian sources under the Uniformed Services Health Benefits Program, dependents 10 years of age or older will be required to show DD Form 1173 to the cognizant medical authority or his designee. Normally, DD Form 1173 is not issued to children under 10 years of age. Certification and identification of such children for health benefits will be the responsibility of the member or retired member, accompanying parent, legal guardian, or acting guardian. Either the DD Form 1173 issued the spouse of a service member or the identification card of the service member (DD Form 2) or retired member (DD Form 2 (Ret) (Gray)) is acceptable identification for the purpose of establishing the eligibility of a child under 10 years of age. The fact that the word "indefinite" may appear in the space for the expiration date on DD Form 2 or DD Form 2 (Ret) (Gray) would not lessen its acceptability for identification of the child. Under extenuating circumstances, a DD Form 1173 may be issued children under 10 years of age as authorized by the directives of the individual services.

(1) In an emergency, satisfactory collateral identification may be accepted in lieu of DD Form 1173 or DD Form 2 (Ret) (Gray); for example, official orders, letters, or other documents establishing the individual's status as a member or retired member of the uniformed services, and in the case of dependents, showing clearly the relationship of the individual to an active duty, retired, or deceased member of the uniformed services.

(2) Where DD Form 1173 or DD Form 2 (Ret) (Gray) is not available and no emergency exists—

(i) The patient may be provided civilian health benefits as a potential beneficiary of the Civilian Health and Medical Program of the Uniformed Services. Payment in such cases will be made only if the claim form is supported by a statement from an official of the appropriate uniformed service who has access to the patient's or sponsor's records indicating that the patient was entitled to health benefits from civilian sources under the CHAMPUS during the period covered.

(*a*) The statement will include the name, rank or grade, and position of the issuing official.

(*b*) The statement required by this paragraph may be used in lieu of the eligibility information required on the claim form.

(ii) Uniformed services facilities may accept a statement from the patient, parent, sponsor, legal guardian, or acting guardian attesting to the fact that eligibility has been established in accordance with the appropriate uniformed services regulations and giving the reason why the DD Form 1173 or DD Form 2 (Ret) (Gray) is not in their possession. This statement will be affixed to the patient's medical record.

(3) In all cases where health benefits are obtained from civilian sources, the patient, parent, sponsor, or guardian, as appropriate, will be required to execute the applicable certificate on the claim forms, DA Form 1863-1 (Services by Civilian Hospitals, Private Nurses, Anesthetists, Physical Therapists—Medicare) and DA Form 1863-2 (Services by Civilian Physicians and Dentists—Medicare).

§ 577.63 Source of health benefits for dependents and retired members.

(a) *Election of facilities.* (1) The following beneficiaries may elect to obtain authorized health benefits in uniformed services facilities or from civilian sources:

(i) Retired members and their spouses and children.

(ii) Spouses and children of deceased members.

(iii) Spouses and children of active duty members who are residing apart from their sponsor.

(2) Spouses and children of active duty members who are residing with their sponsor may elect to obtain authorized outpatient care and drugs from uniformed services or civilian facilities. They are, however, required to obtain inpatient care in uniformed services facilities when such facilities are within reasonable distance of their residence and capable of providing the needed care, except as follows:

(i) In an emergency when certified as such by the attending physician. For the purpose of §§ 577.60–577.70, an emergency is defined as a serious illness following an accident or an illness of sudden onset requiring immediate hospitalization at the nearest available medical facility to preserve life or health or to prevent undue suffering.

(ii) When the status of a spouse or child is changed from "residing apart from sponsor" to "residing with sponsor" while hospitalized in a civilian facility or while a spouse is obtaining maternity care and does not change physicians.

(iii) During a period of absence from the area of the sponsor's household on a trip.

NOTE: The limitation on civilian inpatient care prescribed by this paragraph does not apply to civilian inpatient services provided a spouse or child for a mental or physical handicap under the provisions of § 577.67.

(3) For the purpose of §§ 577.60–577.70, the term "spouses and children of active duty members residing with their sponsor" includes those who reside in an area to which their sponsor is assigned; e.g., those who reside in the household of the sponsor in the area of his permanent duty station, or the home port or home yard of a ship, even though the sponsor may be temporarily absent by reason of temporary duty with his unit or ship or absent on individual temporary duty orders. Therefore, the DA Form 1863 for a dependent residing in an area to which the sponsor is assigned should indicate that the dependent is residing with the sponsor, except in the case of spouses and children who are not living with their sponsor. This includes cases where a service member and his spouse are legally separated but a final divorce decree has not been granted and the children are residing with the parent who is not a service member. In such cases, the spouses and children are considered to be residing apart from their sponsor.

(b) *Administration of limitation on civilian inpatient care*—(1) *In the United States and Puerto Rico.* A DD Form 1251 (Nonavailability Statement—Dependents Medical Care Program) normally will be furnished spouses and children of active duty members residing with their sponsor in the United States or Puerto Rico when needed inpatient care cannot be provided them in a uniformed services facility within reasonable distance of their residence. The form (four part set) will be signed by the issuing officer. Three copies will be furnished the patient: one to be given to the attending physician, one to the civilian hospital, and one to be retained by the patient. The remaining copy will be retained by the issuing authority.

(i) The issuing authority will explain to the patient that the DD Form 1251 is for immediate use and must be presented to the civilian sources of care if the dependent chooses to seek civilian inpatient care under the program.

(ii) A commander of a uniformed services installation or activity, or any member of his command, will not make any commitment to a civilian physician or civilian hospital that the health benefits provided in a specific case will be authorized for payment under the Civilian Health and Medical Program of the Uniformed Services.

(iii) When residing in an area where there is a uniformed services medical facility, the dependent will apply for inpatient care at that facility. If it is determined that the needed inpatient care cannot be provided by a uniformed services medical facility within reasonable distance of the dependent's residence, it is the responsibility of the commander of the medical facility, or his designee, to furnish the dependent or sponsor a DD Form 1251. Dependents will not be referred to a specific hospital or physician.

(iv) In areas where there are medical facilities of two or more uniformed services and the inpatient care required by a dependent cannot be furnished at the medical facility to which the dependent applies, the other uniformed services medical facilities in the area will be contacted to determine whether the care can be provided at such facilities. A DD Form 1251 will be issued only after it is determined that the inpatient care is not available at any of the uniformed services medical facilities in the area. See § 577.64(i) on cross utilization of service facilities.

(v) When residing in an area where there is no uniformed services medical facility, the sponsor or dependent may request a DD Form 1251 from the nearest

uniformed services installation or off-post activity (except installations and off-post activities of the Environmental Science Services Administration) in order to obtain civilian inpatient care. It is the responsibility of the commander of such installation or off-post activity, or his designated representative, to furnish the sponsor or dependent with a DD Form 1251 if he determines that the inpatient care cannot be furnished by a medical facility of the uniformed services within reasonable distance of the dependent's residence.

(vi) In determining what constitutes reasonable distance, in addition to the distance factor, consideration will be given to time required to normally complete the trip, unusual geographic and transportation factors, such as availability of private or public transportation, and the presence of toll bridges or ferries which would increase unreasonably the time and expense of travel. The fact that a uniformed services medical facility is located in another geographic area, as delineated by a State, county, city, town, or similar boundary, does not in and of itself, place the facility outside the area of the dependent's residence. Doubtful or borderline cases will be resolved in the dependent's favor.

(vii) An issuing authority may issue a DD Form 1251 on a retroactive basis to cover civilian inpatient care already commenced or completed when it is determined that the DD Form 1251 could have been issued before the inpatient care was commenced if application had been made. DD Form 1251 issued under these circumstances will bear a statement in the "Remarks" section of the form that it was issued on a retroactive basis with an effective date of (_____).

(viii) Surgeons General or their designees are also authorized to issue DD Form 1251 in special and unusual cases.

(2) *In Canada and Mexico.* DD Forms 1251 are not required for civilian inpatient care obtained by dependents in Canada or Mexico.

(3) *Outside the United States, Puerto Rico, Canada, and Mexico.* In areas where medical facilities of the uniformed services are either nonexistent or incapable of providing required inpatient care, spouses and children who are residing with their sponsor will be provided civilian health benefits in accordance with §§ 577.60–577.70. The oversea commander will determine whether a uniformed services medical facility is near enough to the dependent's residence to be considered "in the area," and if so, whether the facility can provide what he considers to be adequate inpatient care. See § 577.68 for authorized transportation of a spouse or child outside the United States for the purpose of obtaining medical care.

§ 577.64 Health benefits at facilities of the uniformed services.

(a) *Eligibility for health benefits in uniformed services facilities.* Personnel eligible for care in uniformed services facilities are listed in § 577.61(a) (1) and (2).

(b) *Authority for providing health benefits.* (1) Whenever requested, and except as indicated in subparagraph (2) of this paragraph, authorized health benefits will be provided eligible beneficiaries in uniformed services facilities subject to the availability of space and facilities and the capabilities of the professional staff.

(2) The following facilities of the Public Health Service are not considered uniform services facilities for the purpose of §§ 577.60–577.70:

(i) Outpatient offices.

(ii) Designated physician's offices.

(iii) Indian or Alaska native service medical facilities.

(3) Determinations made by the medical or dental officer in charge of the uniformed services facility, or by his designee, as to the availability of space and facilities and the capabilities of the professional staff, will be conclusive. A person requesting health benefits will not be denied such benefits on the basis of service affiliation or assignment, or on the basis of the location.

(4) The furnishing of health benefits to beneficiaries of this program will not be permitted to interfere with accomplishment of the primary mission of the facility.

(5) When the person in charge of the uniformed services facility does not have sufficient space, facilities, or professional staff to provide nonemergency care to all persons covered by §§ 577.60–577.70, nonemergency care will be furnished in the order of priority listed below:

(i) Dependents of members of the uniformed services who are serving on active duty for more than 30 days and dependents of members who died while serving on such duty.

(ii) Retired members and their dependents and the dependents of members who died while in a retired status.

(c) *Determination of availability of facilities.* In determining whether or not a uniformed services facility is available to provide required health benefits, consideration will be given to the following:

(1) Primary mission of the facility.

(2) Adequacy of professional care available.

(3) Optimum number of patients who can be treated without sacrificing high professional standards.

(4) Optimum utilization of the facility.

(d) *Health benefits authorized retired members.* Retired members are entitled to the same health benefits in uniformed services facilities as active duty members, subject to the availability of space and facilities and the capabilities of the professional staff; the provisions of Executive Order 10122, April 14, 1950, as amended by Executive Order 10400, September 19, 1952; and the priorities established in paragraph (b)(5) of this section. See individual service regulations for details.

(e) *Health benefits authorized dependents.* Subject to the availability of space and facilities and the capabilities of the professional staff and to the priorities established in paragraph (b)(5) of this section, dependents are authorized the following health benefits in uniformed services facilities:

(1) Hospitalization, including services and supplies normally furnished by the hospital.

(2) Outpatient treatment and services.

(3) Drugs: Prescriptions written by either uniformed services or civilian physicians will be filled at uniformed services facilities, subject to the availability of pharmaceuticals, and consistent with control procedures.

(4) Treatment on an inpatient or outpatient basis of:

(i) Medical and surgical conditions.

(ii) Nervous, mental, and emotional disorders.

(iii) Chronic conditions and diseases.

(iv) Contagious diseases.

(5) Physical examinations, including eye examinations and hearing evaluation, and all other tests and procedures necessary for a complete physical examination.

(6) Immunizations.

(7) Maternity and infant care: Complete maternity care is authorized, including prenatal and postnatal care, and routine care and examination of the newborn infant.

(8) Diagnostic tests and services, including laboratory and X-ray examinations.

(9) Family planning services and supplies, including counseling and guidance. These services and supplies will be provided in accordance with sound medical practice to any eligible dependent upon request.

(10) Dental care, as follows:

(i) Emergency dental care worldwide.

(ii) Dental care worldwide as a necessary adjunct to medical, surgical, or preventive treatment.

(iii) Routine dental care outside the United States and at those stations within the United States which have been specifically designated to provide such dental care to dependents in accordance with the provisions of paragraph (h) of this section.

NOTE: The above limitation on dental treatment does not preclude the carrying out of preventive measures such as fluoridation of water, instructions in oral hygiene, etc., under preventive dentistry programs of the individual services. Nor does it preclude the taking of appropriate X-rays.

(11) Government ambulance service: Government ambulance service to transport dependents to, from, or between medical facilities when determined by the medical officer in charge to be medically necessary. (When a Government ambulance is not available, local non-Government ambulance service may be provided spouses and children under the civilian portion of the program.)

(12) Home calls, when determined by the medical officer in charge to be medically necessary.

(13) Artificial limbs and artificial eyes, including their initial issue, fitting, repair, replacement, and adjustment.

(14) Durable equipment, such as wheelchairs, iron lungs, and hospital

beds, may be issued on a loan basis when available from Government stocks.

(15) Orthopedic braces (except orthopedic footwear), crutches, walking irons, elastic stockings, and similar orthopedic aids.

(f) *Health benefits not authorized dependents.* The following health benefits may not be provided dependents in uniformed services facilities:

(1) Domiciliary or custodial care.

(2) Prosthetic devices (other than artificial limbs and artificial eyes), hearing aids, orthopedic footwear, and spectacles. If available from Government stocks, these items may be sold to dependents at cost to the Government at the following locations:

(i) Outside the United States.

(ii) At specific stations within the United States where adequate civilian facilities are unavailable which have been designated to sell these items to dependents by the Secretary of the Army, Navy, or Air Force after approval by the Secretary of Defense, or by the Surgeon General of the Public Health Service after approval by the Secretary of Health, Education, and Welfare. Requests from stations in the United States for designation to provide these items will contain justification similar to that listed in paragraph (h) of this section.

(3) Dental treatment except as listed in paragraph (e)(10) of this section.

(g) *Care beyond the capabilities of the medical facility.* When a retired member or a dependent requires care beyond the capabilities of the medical facility, the commanding officer or officer in charge of the facility is authorized to arrange for the required care by one of the following means:

(1) Transfer the patient, if he agrees to such transfer, to the nearest medical facility of the uniformed services where the required care is available. See § 577.68 for transportation authorized for movement of patients.

(2) Procure from civilian sources the necessary supplemental material and professional and personal services required for the proper care and treatment of the patient in his facility. Charges for such material or services will be paid from funds available to operate the uniformed services facility furnishing the care.

(3) If eligible for civilian care, arrange for transfer of the patient to a civilian hospital or referral to a civilian physician. Upon transfer to a civilian hospital or referral to a civilian physician, the patient will be required to pay the amounts specified in § 577.65(i).

(h) *Routine dental care for dependents in the United States.* Dependents are not authorized routine dental care at uniformed services facilities in the United States except at stations where adequate civilian facilities are unavailable. Stations in the United States where dependents may be provided routine dental care will be designated on an individual basis by the Secretary of the Army, Navy, or Air Force upon approval by the Secretary of Defense, or by the Surgeon General of the Public Health Service upon approval by the Secretary of Health, Education, and Welfare. Normally, a station will not be so designated unless it is more than 30 miles from a community with adequate civilian dental facilities. Consideration will be given to unusual geographic and transportation factors such as toll bridges or ferries which would unreasonably increase the time and expense of travel. A community's dental facilities ordinarily will not be considered adequate for the purpose of §§ 577.60–577.70 unless an average of at least one civilian dentist is in private civilian practice per 2,000 population. Notwithstanding the foregoing criteria, a local commander may request designation of a station to provide routine dental care to dependents when he believes justification exists. All requests for such designations will include the following:

(1) Distance of the dental facility from a community with adequate civilian dental facilities (in miles and time) including unusual transportation factors, if any, which must be considered.

(2) The number of civilian dentists engaged in active practice within 30 miles of the station.

(3) The civilian population within 30 miles of the station.

(4) The dependent population residing on or adjacent to the station.

(5) The total number of dependents who would be eligible for dental care at the uniformed services dental facility if the station were designated to provide routine dental care.

(6) The availability of specialized dental services within the civilian community.

(7) The capability of the uniformed services dental facility to provide dental care to dependents in the area.

(8) Statement concerning excessive costs, if any, for civilian dental service in the community.

(9) Examples of unusual delays, if any, in obtaining civilian dental service.

(10) Statement from the State dental society setting forth its position concerning the proposed designation of the station to provide routine dental care to dependents. If opposed, the dental society will be requested to furnish detailed information on so many of the above items as are applicable.

(i) *Cross-utilization of uniformed services facilities.* To provide effective cross-utilization of medical and dental facilities of the uniformed services, eligible persons, regardless of service affiliation, will be given equal opportunity for health benefits. In areas where facilities of two or more uniformed services are available, the appropriate officials of each service will participate jointly in determining capabilities and establishing areas of responsibility for care. Delineation of such areas will include:

(1) Zone boundaries and the facility serving each zone.

(2) Provision that beneficiaries who reside in a zone served by a facility not of the beneficiary's own service may obtain care at that facility or at a facility of his own service located in another zone.

(3) Provision that if the facility to which the beneficiary applies cannot furnish the needed care, the other facility or facilities in the area will be contacted to determine whether care can be provided at such facility.

(4) Listing by position and telephone number of an individual at each facility as the point of contact to determine whether a patient can be accepted.

(j) *Charges for health benefits in uniformed services facilities.* The patient will be charged as follows:

(1) *Inpatient care*—(i) *Retired officers and warrant officers.* The subsistence rate applicable during the period of hospitalization.

(ii) *Retired enlisted members.* No charge.

(iii) *Dependents.* $1.75 a day. No charge will be made for newborn infants while the mother is a patient in the hospital. In cases where the mother is discharged from the hospital and the infant remains as a patient, charges will be $1.75 a day.

(2) *Outpatient care.* No charge will be made for outpatient care.

(k) *Beneficiaries who become ineligible for health benefits.* (1) In case a beneficiary is an inpatient in a uniformed services facility at the time his status changes so that he is no longer an eligible beneficiary, the Government's responsibility for furnishing such a person health benefits under the Uniformed Services Health Benefits Program ceases at midnight on the date of such event.

(2) If continuation of the hospitalization of such a patient in a uniformed services facility after the date of such change in status is deemed necessary by the medical officer in charge (until proper disposition of the patient can be made), charges will be at the pay-patient rate applicable at the time of hospitalization.

§ 577.65 Civilian health benefits for dependents and retired members.

(a) *Eligibility for civilian health benefits.* (1) Persons eligible to receive health benefits from civilian sources under the Civilian Health and Medical Program of the Uniformed Services are listed in § 577.61(a)(1). Persons requesting health benefits from civilian sources will be required to observe the identification procedures prescribed by the uniformed services (§ 577.62). In addition, in the United States and Puerto Rico spouses and children of active duty members who are residing with their sponsor are required to provide civilian sources of hospitalization with a DD Form 1251 under the conditions outlined in § 577.63(b)(1).

(2) When seeking civilian health benefits, the eligible person should ascertain that the source of care desires to participate in the Civilian Health and Medical Program of the Uniformed Services. Following acceptance of the patient under the program by the civilian source of health benefits, the patient is not responsible for payment of any amount for authorized benefits except as specified in paragraph (i) of this section.

(b) *Civilian health benefits authorized dependents and retired members.* Au-

thorized civilian health benefits include but are not limited to—

(1) *Hospitalization.* Hospitalization is authorized for all types of care, except that with respect to dental care only that treatment required as a necessary adjunct to medical or surgical care is authorized. The necessary services and supplies furnished by the hospital to a patient in an inpatient status are considered part of hospitalization.

(2) *Hospital accommodations.* Hospitalization normally will be provided in semiprivate accommodations. A private room is an allowable benefit, however, when medically indicated, when the patient is admitted to a hospital having only private rooms, or when all semiprivate rooms are filled in the hospital to which the patient is admitted. When a private room is provided other than under the foregoing circumstances, the patient will be required to pay the difference between the cost of the private room and the hospital's average daily charge for semiprivate accommodations.

(3) *Services and supplies.* The following services and supplies are authorized on either an inpatient or outpatient basis:

(i) Services of a physician for treatment of:

(a) Medical and surgical conditions.

(b) Nervous, mental, and emotional disorders. See paragraph (d) of this section for review requirement.

(c) Chronic conditions and diseases. See paragraph (d) of this section for review requirement.

(d) Contagious diseases.

(e) Maternity and infant care.

(ii) Diagnostic tests and services, including X-ray, laboratory basal metabolism, electrocardiogram, electroencephalogram, and radioisotope examinations.

(iii) Anesthetics and oxygen and their administration.

(iv) Blood transfusions, including the cost of blood and blood plasma except when donated or replaced, and blood plasma expanders. Any person providing blood for a patient undergoing treatment at Government expense may be paid therefor at the local prevailing rate provided the sum of $50 for each withdrawal is not exceeded.

(v) Radiation therapy.

(vi) Physical therapy.

(vii) Orthopedic braces (except orthopedic shoes) and crutches.

(viii) Dental care required as a necessary adjunct to medical or surgical treatment.

(ix) Artificial limbs and artificial eyes.

(x) Services of persons specializing in a science allied to the practice of medicine when ordered by a physician. Includes services of physical therapists, anesthetists, psychologists, and similar practitioners.

(xi) Immunizations when required as a part of medical treatment.

(xii) Routine physical examinations and immunizations only when required by spouse and children of active duty members who are under orders to perform travel outside the United States as a result of the member's duty assignment.

(xiii) Use of hospital outpatient facilities.

(xiv) Family planning services.

(xv) Drugs as follows:

(a) Insulin.

(b) Drugs and medicines obtainable only by written prescription and procured from civilian sources.

(xvi) Rental of durable equipment, such as wheelchairs, iron lungs, and hospital beds.

(xvii) Home calls when medically necessary.

(4) *Non-Government ambulance service.* Non-Government ambulance service is authorized as follows, when medically necessary:

(i) As an inpatient benefit when an ambulance is used to move a person to, from, or between hospitals when such person is admitted to a hospital.

(ii) As an outpatient benefit in all cases other than those covered by subdivision (i) of this subparagraph.

(iii) When a Government ambulance is not available, the provisions of subdivisions (i) and (ii) of this subparagraph apply to movement of a patient to, from, or between uniformed services medical facilities. Claims for non-Government ambulance service in such cases will be submitted to the appropriate fiscal agent (see § 577.70).

(c) *Christian Science services.* The following Christian Science services qualify as authorized benefits under the Civilian Health and Medical Program of the Uniformed Services.

(1) Hospitalization in sanatoriums operated, or listed and certified by, the First Church of Christ, Scientist, Boston, Mass.

(2) Services of Christian Science practitioners listed as such in the Christian Science Journal current at the time the service is provided. Such services may not include so-called absent treatment.

(3) Services of Christian Science nurses who are listed in the Christian Science Journal current at the time the service is provided.

(4) Necessary services and supplies ordered by the attending Christian Science practitioner.

(d) *Plans for the management of patients with chronic conditions and nervous, mental, and emotional disorders.* All beneficiaries who require continuous hospitalization in excess of 45 days for care of a chronic condition or a nervous, mental, or emotional disorder must have a plan for management of the condition approved by the Executive Director or oversea commander for hospitalization in excess of 45 days to qualify as an authorized benefit under the CHAMPUS. Factors to be considered by the approving official include: Whether the care could be provided more effectively or economically elsewhere under the program, and whether the dependent will significantly benefit from the proposed plan.

(1) When a patient has been admitted to a hospital for treatment of such conditions and in the opinion of the attending physican hospitalization will be required for more than 45 days, he will furnish the sponsor or other responsible family member the following information in writing concerning the patient:

(i) Diagnosis.

(ii) History of patient's disability, present condition, prognosis, and expected duration of treatment.

(iii) Proposed plan for management of the condition, including estimated costs.

(2) Normally, the sponsor or other responsible family member will forward a request for approval of the plan to the Executive Director, OCHAMPUS, or oversea commander with the above information from the attending physician attached. The request will include the following information:

(i) Name, grade, service number, branch of service, and duty assignment of the sponsor when the patient is a dependent; or name, grade, service number, branch of service, and home address when the patient is a retired member.

(ii) When the patient is a dependent, the name, address, age, and relationship of the patient to the sponsor.

(iii) Name and address of hospital in which care is being provided.

(3) Payment for hospitalization in excess of 45 days may be made without an approved plan under the following conditions:

(i) When a plan for management of the condition has been filed within the 45-day period referred to above, payment of the Government's portion of the cost may continue, in the case of a plan which is not approved, through the day on which the civilian hospital is notified of the disapproval.

(ii) When the review process is not completed within the 45-day period in the case of a plan that is subsequently approved, payment may be made for the Government's portion of the cost on a retroactive basis for the interim period.

(iii) When a plan for management of the condition is received by the Executive Director, OCHAMPUS, or oversea commander after the 45-day period and it is determined that had it been received at the proper time, extension of the period of hospitalization would have been authorized, payment of the Government's portion of the cost may be made on a retroactive basis for the interim period.

(iv) The Executive Director, OCHAMPUS, or oversea commanders, or their designees, may make exceptions to the requirement for an approved plan within 45 days in order to avoid undue hardship in a particular case or in order not to penalize a source of care which has acted in good faith.

(4) In long-term cases, the plan for management of the condition will be reviewed by the Executive Director, OCHAMPUS, or oversea commander on an annual basis. Treatment will not be discontinued in such cases without prior coordination with the appropriate Surgeon General.

(5) The Executive Director, OCHAMPUS, or oversea commander will notify the individual submitting the request for approval of the management plan of his decision and of any changes in an approved plan which are made as the result of the annual review.

(e) *Civilian health benefits not authorized.* The following health benefits are not authorized:

(1) Domiciliary or custodial care.

(2) Routine physical examinations and routine immunizations, those not for diagnostic or treatment purposes, except in the case of spouses and children of active duty members who are under orders to perform travel outside the United States.

(3) Routine care of the newborn and well-baby care.

(4) Spectacles or examinations for them.

(5) Prosthetic devices (other than artificial limbs and artificial eyes), hearing aids, and orthopedic shoes.

(6) Dental care except dental care required as a necessary adjunct to medical or surgical treatment.

NOTE: See § 577.67 for additional civilian benefits for handicapped spouses and children of active duty members of the uniformed services.

(f) *Transfer to a uniformed services facility.* Any patient hospitalized under the program in a civilian hospital may be transferred to a hospital of the uniformed services, subject to the availability of space and facilities and the capabilities of the professional staff. Government transportations may be utilized for transfer. When Government transportation is not available, local non-Government ambulance service may be provided under the Civilian Health and Medical Program of the Uniformed Services.

(g) *Special definitions and policies.* In determining the extent of health benefits to be provided eligible persons under the Civilian Health and Medical Program of the Uniformed Services, the following special definitions and policies will apply. (These definitions and policies may be modified for use outside the United States and Puerto Rico by the appropriate oversea commander or other commander with comparable responsibility. Additionally, they may be modified for use in Mexico by the Executive Director.)

(1) *Special definitions*—(i) *Hospital.* The word "hospital" as used in this section means a facility operated in accordance with the laws of the jurisdiction in which it is located and is engaged primarily in providing diagnostic and therapeutic facilities for surgical and medical diagnosis, treatment and care of injured and sick persons by or under the supervision of one or more licensed doctors of medicine or licensed doctors of osteopathy, and which continuously provides 24-hour-a-day professional registered nursing service. For the purpose of this section, infirmaries operated in conjunction with medical schools are recognized as hospitals. For the purpose of this section, an institution for the treatment of nervous, mental, or emotional disorders may also be considered a hospital so long as it is operated in accordance with the laws of the jurisdiction in which it is located and has a professional staff including one or more licensed physicians who are qualified psychiatrists (i.e., who have completed 3 years or more of approved residency training or are board qualified or certified) in addition to such ancillary psychiatric personnel as psychologists, psychiatric or other social workers, psychiatric aides, occupational or vocational therapy personnel, teachers, and nursing personnel, as appropriate.

NOTE: The Executive Director may waive the provisions of this subdivision in order to avoid hardship in individual cases.

(ii) *Private accommodations.* The term "private accommodations" means one patient bed in a room.

(iii) *Semiprivate accommodations.* The term "semiprivate accommodations" means two, three, or four patient beds in a room.

(iv) *Ward accommodations.* The term "ward accommodations" means five or more patient beds in a room.

(v) *Necessary services and supplies.* Those services and supplies ordered by the attending physician, including ancillary professional care, supportive devices, artificial limbs, and artificial eyes.

(vi) *Physician.* Physician means a doctor of medicine or doctor of osteopathy who is legally qualified without limitation and licensed to practice medicine and perform surgery at the time and place the service is provided. For the services authorized by this regulation, doctors of dental surgery, doctors of dental medicine, and doctors of surgical chiropody, when acting within the scope of their licenses, are deemed to be physicians.

(vii) *Private-duty nurse.* Private-duty nurse includes—

(a) A professional registered nurse (RN).

(b) A technical registered nurse.

(c) A licensed practical nurse.

(viii) *Full-payment concept.* The full-payment concept means that payment by the Government and acceptance by the source of care of the amount paid by the Government under the program shall be payment in full for the authorized services reflected on the claim form and no further amount shall be due the source of care from the Government, the patient, or the service member, except for any amount payable by the patient as prescribed in paragraph (i) of this section.

(ix) *Schedule of allowances.* The term "schedule of allowances" means the maximum amounts used as a guide for payment of physicians' services applicable to the local area where the services were provided.

(x) *Charges.* Charges means the amount billed by the source of care.

(2) *Policies*—(i) *Use of ward accommodations.* Although hospitalization is provided in semiprivate accommodations, ward accommodations may be furnished under certain circumstances. Ward facilities may be used for pediatric cases whenever this is the normal medical practice and the parent or guardian willingly accepts such accommodations. Further, when the attending physician admits his patient to a hospital in which all semiprivate accommodations are occupied, care furnished in ward accommodations will be considered authorized care, but the patient should be transferred to a semiprivate room as soon as possible. Also when a patient is admitted to an otherwise acceptable institution which furnishes only ward accommodations, care furnished therein shall be considered authorized care.

(ii) *Professional services.* Payment of the Government's portion of the charges for professional services is authorized as follows:

(a) Payment of physicians, including necessary consultants, in the United States and Puerto Rico at their usual charge for the service provided but not exceeding the charge listed therefor in the local schedule of allowances incorporated in the applicable contract unless warranted by individual consideration. In other areas the standard charge for such services in the locality concerned will be used as a guide in determining the amount payable.

(b) Payment for services of private-duty nurses when the attending physician certifies that such services were required for the proper care and treatment of the patient.

(c) Payment for services of persons specializing in the sciences allied to the practice of medicine when ordered by the attending physician.

(iii) *Drugs.* In the United States and Puerto Rico, payment for drugs will be in accordance with local professional fee schedules. In other areas the standard charge in the locality concerned will be used as a guide in determining the amount payable.

(h) *Administrative procedures for patients who become ineligible for civilian benefits.* (1) In cases of spouses and children or retired members receiving treatment from civilian sources under the Civilian Health and Medical Program of the Uniformed Services at the time entitlement to receive health benefits ceases, the Government's responsibility for payment for such benefits ceases, so far as the source of civilian care is concerned, as of midnight on the date of receipt of notice by the source of care that the dependent's entitlement to benefits from civilian sources has terminated, or the expiration date of the DD Form 1173, or DD Form 2 (Ret) (Gray) whichever is earlier. The Government's responsibility ceases, so far as the beneficiary is concerned, as of midnight on the date the beneficiary, for any reason, ceases to be entitled to receive care from civilian sources under the Civilian Health and Medical Program of the Uniformed Services. Examples of instances in which the Government's responsibility for payment of health benefits ceases are given in § 577.61(c).

(2) If a retired member, the spouse or child of a retired member, or the spouse

or child of a deceased member becomes entitled to hospital insurance benefits under the Social Security Health Insurance Program for the Aged on reaching age 65, the Government's responsibility for payment for civilian benefits under the Civilian Health and Medical Program of the Uniformed Services ceases as of midnight of the day preceding the beneficiary's 65th birthday.

(i) *Payment for health benefits.* Payment for authorized health benefits will be made by the Government to providers of benefits subject to the deduction of any portion of the charge payable by the patient as outlined below.

(1) *Cost-sharing formula.* The patient and the Government will share the cost of inpatient and outpatient services authorized under the CHAMPUS as outlined below:

INPATIENT SERVICES

	Payment by the patient	Payment by the Government
Dependents of active duty members.	The 1st $25 of the hospital's charges or $1.75 a day, whichever amount is greater.	The remainder of the hospital's charges and the fees of professional personnel for medical care furnished on an inpatient basis.
Retired members and their dependents and the dependents of deceased members.	25 percent of the hospital's charges and fees of professional personnel for medical care furnished on an inpatient basis.	The remainder of the hospital's charges and the remainder of the fees of professional personnel for inpatient medical care.
Dependents of active duty members.	The 1st $50 of expenses incurred by the beneficiary for outpatient services each fiscal year (not to exceed $100 per family) plus 20 percent of the charges in excess of $50 or $100, as appropriate.	80 percent of the charges for outpatient services in excess of the annual deductible of $50 or $100.
Retired members and their dependents and the dependents of deceased members.	The 1st $50 of expenses incurred by the beneficiary for outpatient services each fiscal year (not to exceed $100 per family) plus 25 percent of the charges in excess of $50 or $100, as appropriate.	75 percent of the charges for outpatient services in excess of the annual deductible of $50 or $100.

(2) *Special provisions.* (i) When a maternity patient is hospitalized for delivery or is otherwise hospitalized for proper management of the pregnancy, including treatment of complications thereof, all care related to that pregnancy shall be considered as inpatient care for the purpose of computing the patient's share of the charges. The patient will pay only her portion of the charges for inpatient care as set forth in subparagraph (1) of this paragraph.

(ii) When a patient is hospitalized for surgery, the following services shall be considered as inpatient care for the purpose of computing the patient's share of the charges:

(*a*) Services required of a physician during a period not to exceed 30 days before and 120 days after the hospitalization which are directly related to the surgery.

(*b*) Diagnostic tests and procedures performed or authorized by the attending physician during a period not to exceed 30 days before and 120 days after the hospitalization and directly related to the surgical procedure.

(iii) When a patient receives both inpatient and outpatient care for treatment of a bodily injury, all services and supplies provided for treatment of the injury during a period not to exceed 30 days before and 120 days after the hospitalization shall be considered as inpatient care for the purpose of computing the patient's share of the charges. Post-hospitalization services are limited to immediate and necessary followup treatment of the injury itself. This provision does not apply to admission or readmission for care of complications (e.g., sequelae) arising out of the injury.

(iv) Drugs and medicines provided on an outpatient basis in connection with the care described in subdivisions (i) through (iii) of this subparagraph, are payable by the Government as follows:

(*a*) Drugs furnished by the physician are payable at the cost to the physician.

(*b*) Drugs prescribed by the physician and procured by the patient are payable as outpatient benefits.

(v) When a spouse or child who is an inpatient is transferred to another hospital for necessary treatment not available in the first hospital and no break in hospitalization occurs except for time in transit, it will be considered as one admission for the purpose of payment of charges by the patient in accordance with this paragraph.

(3) *Payment for inpatient benefits.* Beneficiaries will pay their share of the charges for inpatient care directly to the sources of care. Providers of inpatient benefits normally will submit claims for the Government's share of the charges to the appropriate contractor, the appropriate oversea commander, or to the Executive Director, OCHAMPUS. Pending revision of existing claim forms, claims for inpatient care will be submitted on DA Form 1863-1 (Hospital) or DA Form 1863-2 (Physician), as appropriate. When the new form becomes available, it will be used by both hospitals and physicians in submitting claims for inpatient care.

(4) *Payment of deductible for outpatient benefits.* Each individual or family group will pay directly to the source of outpatient services until the annual deductible is met each fiscal year. A fiscal year is from July 1, each year to June 30, of the following year. Services not authorized under the Civilian Health and Medical Program of the Uniformed Services cannot be applied against the deductible. For the purpose of computing the deductible, an expense is "incurred" on the date the service or supply for which a charge is made is received, regardless of the date on which payment is made.

(i) For the fiscal year ending June 30, 1967, only the following may be applied against the deductible:

(*a*) Outpatient services authorized under the program and obtained by dependents of active duty members on or after October 1, 1966.

(*b*) Outpatient services authorized under the program and obtained by retired members and their dependents and the dependents of deceased members on or after January 1, 1967.

(ii) Receipted bills should be obtained for all payments. When a payment is made which, together with previous payments, if any, exceeds the deductible for the fiscal year, the patient will submit a claim for reimbursement with receipted bills attached to one of the following:

(*a*) Fiscal agent for the area concerned (see appendix) for outpatient services obtained in the United States and Puerto Rico.

(*b*) Executive Director, OCHAMPUS, for outpatient services obtained in Canada and Mexico.

(*c*) The appropriate oversea commander for outpatient services obtained in areas other than the United States, Puerto Rico, Canada, and Mexico.

(iii) Pending revision of existing claim forms, claims may be submitted on DA Form 1863-1 or DA Form 1863-2. When the new form becomes available, it will be used for submitting claims for all types of benefits. All health benefits for which the claim is being submitted will be listed on the same claim form. The beneficiary will be reimbursed in an amount equal to the total payment less the deductible and 20 or 25 percent, as appropriate, of charges in excess of the deductible. The agency reimbursing the patient will provide him a certificate indicating that the deductible has been satisfied for the fiscal year in question. The patient will show this certificate to the source of care when seeking further outpatient services during that fiscal year.

(5) *Payments for outpatient benefits after deductible has been met.* (i) The patient will pay the source of care 20 or 25 percent, as appropriate, of the charges for services and supplies furnished on an outpatient basis. These payments cannot be applied against the second $50 deductible payable by a family group.

(ii) The source of care will submit a claim to the appropriate fiscal agent, the appropriate oversea commander, or the Executive Director, OCHAMPUS, for payment of the balance of the charges. The administrative instructions and guidance furnished the civilian sources of benefits by the Executive Director and oversea commanders will encourage the submission of claims for outpatient care based on accumulation of charges for a period of 1 month or more. In the United States and Puerto Rico, payment will be in accordance with the schedule of allowances applicable to the local area. Pending revision of existing claim forms, all sources of outpatient care, except hospitals and pharmacists, may submit their claims on either DA Form 1863-1 or DA Form 1863-2. In the United

States and Puerto Rico, pharmacists will submit their claims on the form provided by the appropriate fiscal agent. In other areas, pharmacists will submit claims on DA Form 1863-1 or DA Form 1863-2. Hospitals will submit claims on DA Form 1863-1.

(iii) In completing his portion of the claim form, the patient will insert the following statement: "Outpatient deductible satisfied in _____ (insert State or other geographical area)."

(iv) In the event that the patient has paid the source of care more than 20 or 25 percent, as appropriate, of the allowable amount, the fiscal agent, oversea commander, or Executive Director will reimburse the patient to the extent of such overpayment. In the United States and Puerto Rico, the allowable amount for physician's fees is reflected in the schedule of allowances and for drugs in the professional fee guide. Amounts of less than $1 due the patient will not be paid.

(v) It is emphasized that, except for the deductible and 20 or 25 percent, as appropriate, of outpatient charges in excess of the deductible, the patient should not pay the source of care directly. In the event he does so, he may seek reimbursement.

(6) *Documentation of claims.*—(i) *Drugs and medicines.* Claims for drugs submitted on DA Form 1863-1 or DA Form 1863-2 must be supported by a copy of the prescriptions.

(ii) *Physical examination and immunizations for dependents on oversea orders.* A claim for routine physical examinations and immunizations furnished spouses and children of active duty members must be supported by a copy of orders to perform travel outside the United States.

(iii) *Non-Government ambulance service.* Claims for non-Government ambulance service must be supported by a statement from a physician that the service was medically necessary.

(7) *Claims for reimbursement.* The beneficiary will not normally pay for authorized benefits received from civilian sources except that portion of the charge which is his responsibility. However, in cases where a beneficiary received authorized benefits and paid the complete charge, reimbursement may be made to the beneficiary or the sponsor. A claim for reimbursement may be submitted to the appropriate fiscal agent (see § 577.70), oversea commander, or the Executive Director upon completion of the period of treatment. The amount of reimbursement will be that portion of the charges for which the Government is responsible.

(i) Claims for reimbursement for civilian care and Christian Science services (both inpatient and outpatient) obtained in the United States or Puerto Rico will be submitted to the fiscal agent (see § 577.70). Claims for reimbursement for benefits obtained in Canada and Mexico and claims for benefits obtained aboard commercial vessels en route to the United States, Puerto Rico, Canada, or Mexico will be submitted to the Executive Director.

(ii) Claims for reimbursement for civilian care and Christian Science services (both inpatient and outpatient) obtained in areas other than the United States, Puerto Rico, Canada, and Mexico will be submitted to the appropriate oversea commander. Claims for reimbursement for benefits obtained aboard commercial vessels en route to such areas will be submitted to the oversea commander having jurisdiction over the area in which the patient debarks.

(8) *Documentation of claims for reimbursement.* In addition to the documents listed in subparagraph (6) of this paragraph, claims for reimbursement will include the following documents:

(i) DA Form 1863-1 or DA Form 1863-2, with all pertinent items completed.

(ii) When appropriate, a DD Form 1251 (§ 577.63(b)(1)).

(iii) An itemized bill marked "paid" signed by an authorized person, including his business title or designation.

(iv) When a claim includes charges for services and supplies furnished by other than a physician, a Christian Science practitioner, or a hospital, a statement from the attending physician or Christian Science practitioner that such services and supplies were necessary for the proper care and treatment of the patient. This statement is also required when the claim includes charges for a hospital private room. For drugs and medicines purchased from a pharmacy, a copy of the prescription will suffice.

(9) *Forms.* A new form is being developed and will be used in submitting claims for all types of civilian benefits authorized herein as soon as it becomes available. The new form will be furnished civilian sources of benefits in the United States and Puerto Rico through the fiscal agent for the area concerned, in Canada and Mexico by the Executive Director, and in other areas by the oversea commander. Pending receipt of the new form, claims will be submitted on DA Form 1863-1 or DA Form 1863-2 in accordance with the following instructions:

(i) *Item 3, DA Form 1863-1 and DA Form 1863-2.* Completion of this item is required only for dependents of active duty personnel for inpatient care from civilian sources.

(ii) *Item 11, DA Form 1863-1 and DA Form 1863-2.* The individual completing the form will indicate in item 11 the status of the service member as active duty, retired, or deceased.

(iii) *Item 13, DA FORM 1863-1 and DA Form 1863-2.* On claims for care for retired members, their dependents, and the dependents of deceased members, the second paragraph will be lined out in its entirety.

(iv) *Items 20 b and c, DA Form 1863-2 and items 32 e and f, DA Form 1863-1.* Leave blank.

(v) *Item 21, DA Form 1863-1 and item 22, DA Form 1863-2.* Where benefits are being provided a mentally retarded or physically handicapped dependent under the provisions of § 577.67, the source of care will indicate this in these items.

(vi) *Item 29, DA Form 1863-2 and item 33, DA Form 1863-1.* Where a service provided under the handicapped program (§ 577.67) does not require authorization of the attending physician or dentist, these items will be modified as follows:

(a) So much of lines 4, 5, and 6 of item 29, DA Form 1863-2 as reads "As the attending physician or dentist or were performed by me as authorized by the attending physician or dentist" will be deleted.

(b) Paragraph (1) of item 33, DA Form 1863-1 which reads "This statement is for services furnished the patient as authorized by the attending physician or dentist" will be deleted.

(vii) *Instructions on reverse of forms.* Instructions on the reverse of DA Form 1863-1 and DA Form 1863-2 which conflict with the provisions of the new program will be disregarded.

(j) *Coverage under other health benefits programs.* No benefits shall be payable under the Civilian Health and Medical Program of the Uniformed Services in the case of retired members and their dependents and the dependents of deceased members enrolled in any other insurance plan, medical service plan, or health plan provided by law or through employment, except for benefits not payable under the other plan. Retired members and their dependents and the dependents of deceased members shall be required to state on the face of any claim, or in any attachment thereto, submitted by the patient or by the source of benefits whether or not they possess such coverage. If they have such coverage, they must also state that the benefits covered by the claim are not payable under the other plan in order for such benefits to be payable under the Civilian Health and Medical Program of the Uniformed Services.

(k) *Government liability for payment of civilian health benefit costs.* (1) As prescribed in § 577.62, the uniformed services will provide eligible beneficiaries with means of identification. When sources of civilian benefits exercise reasonable care and precaution in identifying persons claiming to be eligible beneficiaries and furnish authorized benefits to those persons in good faith, payment is authorized. When benefits have been provided in good faith by the source of civilian care and it is subsequently determined that the persons concerned were not in fact entitled to health benefits at Government expense under the Civilian Health and Medical Program of the Uniformed Services, collection and other legal action will be taken only against the sponsor, guardian, or individual who was not entitled to the benefits. Collection action in individual cases will be the responsibility of the uniformed service whose appropriations reimbursed the Executive Agent or whose appropriations were used in payments made on behalf of persons not entitled to care under the program. Where fraud is suspected, the matter may be referred to the Attorney General of the United States with appropriate recommendation.

(2) Notwithstanding the foregoing, the Government will not be responsible for payment for health benefits furnished spouses and children of active duty members residing with their sponsor in the United States and Puerto Rico without a DD Form 1251 except under the circumstances described in § 577.63 (a)(2). Where representations are made by the source of civilian care that it was not aware of the requirement for a DD Form 1251 and that if furnished health benefits authorized under §§ 577.60–577.70 to a spouse or child possessing a valid DD Form 1173, and efforts by the physician or hospital to obtain a DD Form 1251 through the sponsor or dependent had failed, the matter will be brought to the attention of the Executive Director. The uniformed service concerned will be notified and the matter will be brought to the attention of the responsible service member as an unpaid debt. In special circumstances where the source of civilian health benefits shows that collection has not been possible, the contracting officer, OCHAMPUS, may authorize payment provided the claim covers health benefits authorized under §§ 577.60–577.70 and was otherwise in accordance with all requirements except those concerning a DD Form 1251.

(3) The contracting officer, OCHAMPUS, or appropriate oversea commander may authorize certain claims for payment where the procedures in §§ 577.62 and 577.63 have not been followed if it is established that authorized health benefits were furnished to an eligible beneficiary. The Secretary of each uniformed service (or his designee) will, upon request of the contracting officer, OCHAMPUS, or the oversea commander, make a determination of eligibility of the patient and inform the contracting officer, OCHAMPUS, or oversea commander thereof in writing.

(4) In order to provide effective contract administration, including retirement of contract files within a specified period, a time limitation for submitting claims by a civilian source of health benefits is hereby prescribed.

(i) Any claim for health benefits provided from civilian sources under §§ 577.60–577.70 normally will not be paid if received by bill-paying contractors more than 5 years after the benefit reflected on the claim form was completed.

(ii) Notwithstanding the provisions of subdivision (i) of this subparagraph, any claim submitted more than 5 years after the health benefit was completed shall be forwarded to the Executive Director who may at his absolute discretion allow or disallow the claim.

§ 577.66 Health benefits in miscellaneous circumstances.

(a) *Health benefits in Federal medical facilities other than those of the uniformed services.* (1) When dependents eligible for civilian health benefits receive benefits authorized by §§ 577.60–577.70 in a Federal medical facility other than a uniformed services facility, the dependent will pay the charges listed in § 577.65(i). The Government will pay the difference between the amount payable by the patient and the rate established for reimbursement among Federal agencies for health benefits furnished dependents. The Executive Director will reimburse the department or agency concerned if the benefit is obtained in the United States or Puerto Rico. For benefits provided outside the United States and Puerto Rico, reimbursement will be made by the appropriate oversea commander of the department of which the sponsor is a member.

(2) The provisions of subparagraph (1) of this parabraph are applicable to health benefits obtained by retired members except those obtained in a Veterans' Administration facility. Reimbursement to the Veterans' Administration for medical and dental care furnished retired members for non-service-connected disabilities at the expense of the military department concerned will be made by the individual departments at rates approved by the Bureau of the Budget. Procedures for reimbursement will be prescribed by regulations of the individual departments.

(3) The provisions of this paragraph do not apply to health benefits obtained in Canal Zone facilities (paragraph (b) of this section).

(b) *Health benefits in medical facilities of the Canal Zone Government*—(1) *Eligibility.* All persons listed in § 577.61 (a) as eligible for care in uniformed services facilities are eligible for health benefits in medical facilities of the Canal Zone Government.

(2) *Scope of benefits.* The benefits for which beneficiaries are eligible in medical facilities of the Canal Zone Government are comparable in all respects to those which are furnished such individuals in uniformed services medical facilities outside the United States.

(3) *Charges.* When hospitalized in a medical facility of the Canal Zone Government, a dependent will pay $1.75 a day. Retired officers and warrant officers will pay applicable subsistence charges and no charge will be made of retired enlisted members. Outpatient care will be furnished without charge to the patient. The Canal Zone Government is reimbursed by the uniformed service with which the beneficiary is affiliated for health benefits furnished on an outpatient basis and for hospitalization, less the amount required to be paid by the patient or sponsor. Rates for departmental reimbursement will be established annually by the Canal Zone Government.

(c) *Health benefits in medical facilities of a foreign government.* When eligible beneficiaries receive health benefits authorized by §§ 577.60–577.70 in the medical facilities of a foreign government, reimbursement will be as follows:

(1) Except as indicated in subparagraph (2) of this paragraph, the patient will pay the charges listed for civilian health benefits in § 577.65(i). The difference between the total bill and the beneficiary's payment will be paid by the appropriate oversea commander in accordance with the individual service regulations (§ 577.60(c)(2)).

(2) In instances where a reciprocal agreement between a foreign government and the United States is in effect which provides for no charge or a lesser charge to the patient than those listed for civilian health benefits in § 577.65(i), the charges, if any, prescribed in the reciprocal agreement will prevail.

§ 577.67 Handicapped program.

(a) *General.* Effective January 1, 1967, a civilian program of health services, training, special education, and rehabilitation is established for the handicapped spouses and children of members of the uniformed services who are serving on active duty or active duty for training for a period of more than 30 days.

(b) *Definitions*—(1) *Serious physical handicap.* A chronic condition markedly limiting capability to engage in pursuits along with one's peers. Examples of conditions from which a serious physical handicap may arise include, but are not limited to—

(i) Any acute or chronic disease or malfunction, either congenital or acquired, or injury involving any of the following systems: Cardiovascular, respiratory, genitourinary, endocrine, musculoskeletal, nervous, gastrointestinal, integumentary, hematopoietic or body metabolism.

(ii) Seriously impaired dental functioning, or serious dental defects and deficiencies, contributing to the limiting capability to a significant degree.

(iii) Serious impairment of special senses and speech; vision defects and deficiencies which seriously impair functional capability.

(2) *Moderate or severe mental retardation.* A condition characterized by significant impairment in development of motor, speech, and self-care skills; significant impairment of intelligence and learning capacity; and inability to learn social and vocational skills without special education and training. It excludes those who are mildly retarded.

(3) *Institutions and facilities.* The following institutions and facilities operated in accordance with the laws of the jurisdiction in which located:

(i) *Public institutions and facilities.* Institutions and facilities supported and operated by Federal, State, county, or local governments.

(ii) *Private nonprofit institutions and facilities.* Institutions and facilities sponsored by voluntary agencies, religious groups, and other nonprofit organizations to provide services to physically or mentally handicapped persons which are listed as nonprofit organizations in the Internal Revenue Service Cumulative List of Organizations (GPO Publication No. 78).

(iii) *Day schools.* Schools which provide special education for handicapped children who reside at home and attend classes during the day.

(iv) *Occupational day centers and schools.* Occupational day centers and schools which provide rehabilitation service for physically and mentally

handicapped persons, enabling them to live with less dependence on others.

(c) *Eligibility.* To be eligible for the civilian benefits authorized by this section, the sponsor and the dependent must meet the requirements specified below.

(1) *Dependent.* The dependent must be a wife, a child, or a dependent husband as these terms are defined in § 577.60(b)(5) and be moderately or severely retarded mentally or have a serious physical handicap.

(2) *Sponsor.* The sponsor must be an active duty member of the uniformed services as that term is defined in § 577.60(b)(2).

(d) *Services authorized.* The following services are authorized with respect to the dependent's handicapping condition:

(1) *Diagnosis.* Diagnostic evaluation on an inpatient or outpatient basis by a physician. Includes hospitalization or institutionalization solely for the purpose of conducting diagnostic studies performed by, or under the supervision of, a physician.

(2) *Inpatient treatment.* Services provided in a hospital, nursing home, convalescent hospital, or similar facility for the handicapping condition where the individual is admitted for treatment. Includes private room when ordered by the physician.

(3) *Institutional care.* Care provided in private nonprofit, public, and State institutions and facilities. Normally, this is residential care with the individual living in the institution or facility. Such institutions and facilities include, but are not limited to, schools for the deaf and blind and institutions for physically and mentally handicapped persons. Includes private room when ordered by the physician. Institutional care is not authorized in a private facility operated for profit.

(4) *Outpatient treatment.* Services provided on a visit basis in the hospital, clinic, institution, agency, or office where the professional or professionals providing the service are located. Includes therapy, diagnostic and therapeutic tests and procedures, and posthospitalization and postinstitutional care needed to continue treatment or rehabilitation.

(5) *Training and special education.* Education, exercise, or practice needed to gain a skill to alleviate, overcome, or adjust to a physical or mental handicap. Includes, but is not limited to, remedial reading, speech training, use of artificial aids, and education provided physically or mentally handicapped children that goes beyond that given normal children in the public school system. These services may be provided on either an inpatient or outpatient basis.

(6) *Home treatment.* Services provided to a mentally or physically handicapped individual in the home. Home treatment includes, but is not limited to, such services as speech therapy, occupational therapy, physiotherapy, and remedial reading. Any of the services authorized by this section may be provided in the home when the responsible professional person certifies that it can be provided most appropriately in the home.

(7) *Surgery and medical care.* Surgery and medical care necessary to treat, correct, or aid a mental or physical handicap is authorized on either an inpatient or outpatient basis.

(8) *Dental care.* Surgery, orthodontia, and other dental procedures which are needed to correct, overcome, or aid in adjustment to, a handicapping condition.

(9) *Prosthetic devices and orthopedic appliances.* Artificial limbs, artificial eyes, braces, hearing aids, and other such devices and appliances are authorized when needed to treat a handicapping condition.

(10) *Special optical devices.* Special optical devices are authorized such as:

(i) Contact lenses necessary to correct a handicapping condition not correctible by spectacles.

(ii) Subnormal visual corrective devices such as, but not limited to, telescopic and iseiknoic lenses.

(iii) Optical aids to help the near blind, such as, but not limited to, handheld optical devices.

(11) *Durable equipment.* When certified as needed in the treatment or training of a handicapped dependent, the purchase or rental (whichever is more appropriate) of durable equipment is authorized. Durable equipment includes, but is not limited to, wheelchair, iron lung, and hospital bed.

(12) *Drugs, as follows.* (i) Insulin.

(ii) Drugs and medicines obtainable only by written prescription and procured from a civilian pharmacy. (Prescriptions written by a civilian physician may be filled at uniformed services pharmacies at no cost to the patient, subject to the availability of pharmaceuticals.)

(13) *Transportation.* Transportation is authorized by Government, commercial, or private means to and from facilities in which the dependent is to receive or has received institutional care. If the patient is unable to travel alone, transportation of necessary attendants is also authorized. Normally this authority applies to local transportation. However, distant movement of handicapped dependents may be furnished by Government transportation. When distant movement is considered necessary and Government transportation is not available, approval for movement by non-Government transportation may be requested from the Executive Director, OCHAMPUS, or appropriate oversea commander.

(14) *Other services.* Any other treatment or services when necessary to treat, rehabilitate, or educate a handicapped spouse or child in his total treatment program is authorized.

(15) *Related therapy.* Therapy, such as family counseling for parents of a handicapped child, is authorized when needed as part of the treatment for the child.

(16) *Professional services authorized.* The following professional services are authorized handicapped dependents on either an inpatient or outpatient basis:

(i) *Services of professional personnel.* These include, but are not limited to the services of physicians, dentists, optometrists, speech therapists, speech pathologists, audiologists, psychologists, social workers, physical therapists, occupational therapists, and nurses. These professional personnel must be licensed if the jurisdiction in which located so requires, or must be eligible for membership in the national association setting the standards for their respective professional group.

(ii) *Services of teachers.* Services of teachers who meet the standards of the school system in the jurisdiction in which located and who provide special education such as, but not limited to, remedial reading, speech training, or special classes for retarded children.

(iii) *Services of vocational instructors.* Services of vocational instructors who teach handicapped persons a trade or occupation that will aid in overcoming or adjusting to a handicapping condition, such as teaching a blind person to be a mechanic. These instructors must meet the standards required in the school system where the training is being conducted.

NOTE: Under the handicapped program, diagnosis must be by a physician. Subsequent benefits may be furnished without being ordered or prescribed by a physician provided a professional person competent in the disciplines involved orders or prescribes them.

(e) *Services not authorized.* The following services are not authorized dependents under the handicapped program:

(1) Ordinary spectacles.

(2) Dental care except when required to correct the handicapping conditions (paragraph (d)(8) of this section).

(3) Treatment for acute medical or surgical conditions of a temporary nature and treatment for nervous and mental disorders and chronic conditions which are covered under the provisions of § 577.65.

(f) *Use of public facilities.* To qualify for benefits under the handicapped program, public facilities must be used to the extent they are available and adequate. Determination of adequacy of public facilities will be made by the Executive Director or appropriate oversea commander. When public facilities are unavailable or inadequate, services may be provided in private facilities, except that institutional (residential) care may not be provided in private facilities operated for profit.

(g) *Health, Education, and Welfare programs for the handicapped.* In administering the handicapped portion of the Uniformed Services Health Benefits Program, the Executive Director and oversea commanders, or their designees, will make full use of all similar programs administered by or under the cognizance of the Department of Health, Education, and Welfare and determined by appropriate officials of that department to be available for such use.

(h) *Plans for the management of dependents with handicapping conditions—*

(1) *Approval of plans.* A plan for management of the handicapping condition, including estimated costs, must be reviewed and approval by the Executive Director or appropriate oversea commander before services are provided under the handicapped program. Factors to be considered by the approving official include—

(i) Whether the services could be provided more effectively or economically elsewhere under the program.

(ii) Whether the handicapped dependent will significantly benefit from the proposed plan.

(2) *Procedure for obtaining benefits for handicapped dependents.* (i) Normally, the sponsor or other responsible family member will forward a request for acceptance of the dependent under the handicapped program to the Executive Director or oversea commander. The request will include the following information:

(a) Name, grade, service number, branch of service, and duty assignment of the sponsor.

(b) Name and address of the dependent. If in an institution, the name and address of the institution.

(c) Age and relationship of the dependent to the sponsor.

(d) A signed statement by a physician giving the diagnosis, history of the dependent's disability, present condition, prognosis, and a recommended plan for management of the condition, including estimated costs.

(ii) The Executive Director or oversea commander will review the case, determine whether the dependent qualifies for handicapped benefits, and notify the sponsor or family member of his decision. In approved cases, a list of appropriate facilities capable of providing the required services will be included when indicated.

(iii) For services in other than a public facility in the United States to be payable under the program, the sponsor or other responsible family member must obtain a statement from a public official that the services are not available in public facilities and the statement attached to the claim for services provided by the private facility. Statements by public officials that public facilities are not available shall continue in effect as follows:

(a) For 1 year from the date of issuance (at that time, application must be made for a new statement); or

(b) Upon declaration by a public official that public facilities are available at an earlier date; or

(c) Upon transfer of the service member from a State or area, provided the handicapped dependent departs with the sponsor. In such cases, if continued care for the handicapped dependent is required, the sponsor or other responsible family member must reapply to the Executive Director or oversea commander as outlined in subdivision (i) of this subparagraph.

(iv) Payment for services obtained prior to approval of a plan for management of the handicapping condition may be made under the following conditions:

(a) When a plan is approved subsequent to January 1, 1967, and it is determined that it could have been approved on that date, payment may be made for the Government's portion of the cost of services on a retroactive basis to January 1, 1967.

(b) The Executive Director or oversea commanders, or their designees, may make exceptions to the requirement for approval of a plan prior to the beginning of such services in order to avoid undue hardship in a particular case or in order not to penalize a source of care which has acted in good faith.

(v) In long-term cases, the plan for management of the condition will be reviewed by the Executive Director or the oversea commander on an annual basis. Services will not be discontinued in such cases without prior coordination with the appropriate Surgeon General. The sponsor or other responsible family member will be notified of any changes in an approved plan which are made as the result of such review.

(3) *Exception.* The requirements of subparagraphs (1) and (2) of this paragraph are not applicable when services for the handicapped are obtained through one or more programs operated by or under the cognizance of the Department of Health, Education, and Welfare.

(i) *Payment for services.* Providers of authorized services and supplies under the handicapped program normally will submit claims, including transportation charges incident to the institutional care, to the appropriate fiscal agent (see § 577.70), the appropriate oversea commander, or the Executive Director. Pending revision of existing claim forms, claims for inpatient services will be submitted on DA Form 1863-1 and claims for outpatient services on DA Form 1863-2. Claims for prescription drugs must be supported by a copy of the prescription. When the new form becomes available, it will be used by all sources of benefits for submitting claims.

(1) *Government's share of costs.* The Government's share of the cost of benefits provided a particular dependent under the handicapped program shall not exceed $350 per month except as provided in subparagraph (2)(ii) of this paragraph.

(2) *Member's share of costs.* (i) If the cost of services provided his dependent under the handicapped program in a particular month is less than the amount shown for his pay grade in figure 1, the entire transaction shall be a matter between the member and the source of benefits. When the cost exceeds that amount, the service member shall be required to pay the amount shown for his pay grade in figure 1, plus that amount, if any, in excess of the total of his payment plus the Government's payment of $350.

(ii) When a service member has two or more dependents incurring expenses in a given month under the handicapped program, he shall not be required to pay an amount greater than he would be required to pay if he had but one such dependent. Such a member shall be charged on the basis of his dependent incurring the least expense under the handicapped program.

(iii) The amount as computed above shall be paid by the service member to the primary source of care. If the dependent is institutionalized, the primary source of care is the institution. If the dependent is not institutionalized, the primary source is the individual or facility responsible for directing the regimen of treatment being received by the dependent (e.g., day school, occupational day center, or attending physician).

(iv) If no single source of care provides services for which the charges in 1 month are equal to, or greater than, the monthly amount payable by the service member, the member shall pay the respective sources of care until he has satisified his liability and shall obtain a receipt therefor which shall be attached to the claim by one of the sources of supplies and services whose charges have not been paid by the member.

FIGURE 1—SLIDING SCALE OF MONTHLY PAYMENTS BY ACTIVE DUTY MEMBER FOR CARE OF HANDICAPPED DEPENDENTS

Pay grade	*Amount*
E-1	$25
E-2	25
E-3	25
E-4	25
E-5	25
E-6	30
E-7	35
E-8	40
E-9	45
W-1	45
W-2	45
W-3	50
W-4	50
O-1	35
O-2	40
O-3	45
O-4	50
O-5	65
O-6	75
O-7	100
O-8	150
O-9	200
O-10	250

(3) *Care for other than the handicapping conditions.* When a dependent who is receiving civilian benefits under the handicapped program requires authorized care from civilian sources which is not specifically required because of his handicapping condition, the normal cost-sharing provisions of § 577.65(i) apply for such care. Exceptions to the foregoing may be made by the Executive Director or oversea commander in unusual cases, using the cost-sharing arrangements of subparagraph (2) of this paragraph, with due regard being given to the best interests of the Government and the service member and the efficient administration of the program.

(4) *Claims for reimbursement.* If the service member pays the source of care for services and supplies and thereafter seeks reimbursement, he will follow the procedure outlined in § 577.65(i) (7) and (8), except that—

(i) Claims for reimbursement for treatment of physically and mentally

handicapped dependents shall be submitted separately from claims for other authorized care under the Civilian Health and Medical Program of the Uniformed Services; and

(ii) The amount reimbursable to the service member shall be computed, subject to the amount payable by him, on a monthly basis as set forth in subparagraph (2) of this paragraph. Claims for reimbursement submitted by service members for treatment of handicapped dependents will reflect that the supplies and services for which the member paid specifically relate to such care.

(iii) When submitting a claim for reimbursement for the use of public commercial or private transportation as authorized by paragraph (d)(13) of this section, the service member will document his expenses and initially obtain a statement from the institution in which his dependent is receiving institutional care to the effect that transportation is required for the care of the patient. For private transportation, speedometer readings must be shown.

(j) *CHAMPUS Information Center.* (1) The Executive Director, Office for the Civilian Health and Medical Program of the Uniformed Services, maintains a current directory of specialized care programs, facilities, and services for the handicapped in the United States, Puerto Rico, Canada, and Mexico. To the extent possible, the directory includes the name and address of the facility, the types of services provided, handicapping conditions treated, admission or eligibility requirements, and estimated charges.

(2) Information may be obtained from the directory, upon request, by service families, uniformed services facilities, and authorized private and public agencies.

(3) The directory will serve as a central source of information for the uniformed services, civilian personnel, and voluntary workers in community service programs operating at the local level.

(k) *Special educational services overseas.* Oversea commanders are authorized to contract with qualified personnel under the Uniformed Services Health Benefits Program for special educational services for mentally retarded and physically handicapped spouses and children of active duty military personnel as an adjunct to the educational program in oversea dependent schools.

§ 577.68 Transportation.

(a) *Aeromedical evacuation.* Movement of uniformed services patients by aeromedical evacuation is governed by the following regulations:

(1) AR 40-350/BUMEDINST 6320.1B/AFR 160-107/PHS GEN CIR NO. 14 (Medical Regulating to and Within the Continental United States).

(2) AFR 164-1/AR 40-535/OPNAVINST 4630.9B/MCO P4630.9 (Worldwide Aeromedical Evacuation).

(3) AFR 76-15/AR 59-12/OPNAVINST 4630.12B/MCO 4630.7 (Movement of Traffic by the Single Manager Operating Agency for Airlift Service (MATS)).

(4) AR 96-20/OPNAVINST 4630.10/AFR 76-6A (Responsibilities and Policies for Movement of Traffic on Other Than Military Air Transport Service Scheduled Aircraft).

(b) *Ambulance service.* Retired members and dependents are authorized ambulance service in accordance with the provisions of § 577.64(e)(11) and § 577.65(b)(4).

(c) *Transportation for the purpose of obtaining medical care.* Transportation of dependents of active duty members of the uniformed services who are accompanying their sponsor outside the United States is authorized for the purpose of obtaining medical care not locally available, including transportation of necessary attendants, in accordance with the provisions of the Joint Travel Regulations, volume 1, chapter 6, part I, and chapter 7, part C, paragraph M 7107.

(d) *Transportation for handicapped dependents.* Transportation of spouses and children of active duty members of the uniformed services in connection with institutional care is authorized in accordance with the provisions of § 577.67(d)(13).

§ 577.69 The Federal Medical Care Recovery Act (42 U.S.C. 2651-2653).

(a) *Special notification—injury cases.* Sections 2651 through 2653, title 42, United States Code, require the Government to recover from third persons the reasonable cost of hospital, medical, surgical, or dental care which is provided at Government expense to persons who are injured under circumstances creating tort liability upon some third person.

(b) *Notification by member.* All uniformed services personnel will be instructed to notify their commanding officers of all accidents involving injury to themselves or their dependents by a third person when the individual is treated for such injury in a uniformed services medical facility or in a civilian medical facility at Government expense. The service member will provide all facts and circumstances pertaining to such incidents. In addition, the commander of a uniformed services medical facility where an injured beneficiary of the uniformed services is treated will notify the appropriate staff judge advocate, or in the case of beneficiaries of the Public Health Service, the General Counsel, Department of Health, Education, and Welfare, as prescribed in regulations of the individual services.

§ 577.70 Fiscal agents for payment of outpatient charges and claims for reimbursement for costs of inpatient and outpatient care in the United States, Puerto Rico, Canada, and Mexico.

ALABAMA

Mutual of Omaha Insurance Co., Post Office Box 1298, Omaha, Nebr. 68101.

ALASKA

Washington Hospital Service Association, 601 Broadway or Post Office Box 327, Seattle, Wash. 98111.

ARIZONA

Arizona Blue Shield Medical Service, 331 West Indian School Road or Post Office Box 13466, Phoenix, Ariz. 85002.

ARKANSAS

Arkansas Medical Society, 218 Kelley Building or Post Office Box 1208, Fort Smith, Ark. 72902.

CALIFORNIA

California Physicians' Service, 720 California Street, San Francisco, Calif. 94108.

CANADA

Executive Director, Office of the Civilian Health and Medical Program of the Uniformed Services, Office of The Surgeon General, U.S. Army, Denver, Colo. 80240.

COLORADO

Colorado Medical Service, Inc., 244 University Boulevard, Denver, Colo. 80206.

CONNECTICUT

Connecticut Medical Service, Inc., 221 Whitney Avenue or Post Office Box 755, New Haven, Conn. 06503.

DELAWARE

Blue Cross & Blue Shield of Delaware, Inc., 201 West 14th Street, Wilmington, Del. 19899.

DISTRICT OF COLUMBIA

(Includes District of Columbia, Prince Georges, and Montgomery Counties, Md., and Arlington and Fairfax Counties, Va., and the city of Alexandria, Va.)

Medical Service of the District of Columbia, 1021 14th Street NW., Washington, D.C. 20005.

FLORIDA

Blue Shield of Florida, Inc., 532 Riverside Avenue or Post Office Box 1798, Jacksonville, Fla. 32201.

GEORGIA

Medical Association of Georgia, 938 Peachtree Street NE., Atlanta, Ga. 30309.

HAWAII

Hawaii Medical Service Association, 1504 Kapiolani Boulevard or Post Office Box 860, Honolulu, Hawaii 96814.

IDAHO

North Idaho District Medical Service Bureau, Inc., 201 Breier Building, Lewiston, Idaho 83501.

ILLINOIS

Mutual of Omaha Insurance Co., Post Office Box 1298, Omaha, Nebr. 68101.

INDIANA

Indiana State Medical Association, 3935 North Meridian Street, Indianapolis, Ind. 46208.

IOWA

Iowa Medical Society, 1001 Grand Avenue, West Des Moines, Iowa 50265.

KANSAS

Kansas Physicians' Service, 1133 Topeka Boulevard, Topeka, Kans. 66601.

KENTUCKY

Kentucky Physicians' Mutual, Inc., 3101 Bardstown Road, Louisville, Ky. 40205.

LOUISIANA

Continental Service Life & Health Insurance Co., 5353 Florida Boulevard or Post Office Drawer 2908, Baton Rouge, La. 70821.

MAINE

Associated Hospital Service of Maine, 509 Forest Avenue, Portland, Maine 04101.

MARYLAND

(Excludes Prince Georges and Montgomery Counties which are served by the fiscal agent for the District of Columbia.)
Maryland Medical Service, Inc., 7800 York Road, Baltimore, Md. 21203.

MASSACHUSETTS

Massachusetts Medical Service, 133 Federal Street, Boston, Mass. 02106.

MEXICO

Executive Director, Office for the Civilian Health and Medical Program of the Uniformed Services, Office of The Surgeon General, U.S. Army, Denver, Colo. 80240.

MICHIGAN

Michigan Medical Service, 441 East Jefferson Avenue, Detroit, Mich. 48226.

MINNESOTA

Minnesota State Medical Association, 496 Lowry Medical Arts Building, St. Paul, Minn. 55102.

MISSISSIPPI

Mississippi State Medical Association, 735 Riverside Drive, Jackson, Miss. 39216.

MISSOURI

Missouri Medical Service, 3615 Olive Street, St. Louis, Mo. 63108.

MONTANA

Montana Physicians' Service, 404 Fuller Avenue or Post Office Box 1677, Helena, Mont. 59601.

NEBRASKA

Nebraska Medical Service, 518 Kilpatrick Building, Omaha, Nebr. 68102.

NEVADA

Nevada State Medical Association, 3660 Baker Lane, Reno, Nev. 89502.

NEW HAMPSHIRE

New Hampshire-Vermont Physician Service, 1 Pillsbury Street, Concord, N.H. 03301.

NEW JERSEY

Medical-Surgical Plan of New Jersey, 500 Broad Street or Post Office Box 262, Newark, N.J. 07102.

NEW MEXICO

Surgical Service, Inc., of New Mexico, 202 Morningside Drive SE., Albuquerque, N. Mex. 87108.

NEW YORK

Medical Society of the State of New York, 750 Third Avenue, New York, N.Y. 10017.

NORTH CAROLINA

Hospital Saving Association of North Carolina, Inc., Chapel Hill, N.C. 27514.

NORTH DAKOTA

State Medical Society of Wisconsin, 330 East Lakeside Street, Madison, Wis. 53705.

OHIO

Mutual of Omaha Insurance Co., Post Office Box 1298, Omaha, Nebr. 68101.

OKLAHOMA

Oklahoma Physicians' Service, 1215 South Boulder Avenue or Post Office Box 1738, Tulsa, Okla. 74102.

OREGON

Executive Office, Oregon Physicians' Service, 619 Southwest 11th Avenue, Portland, Oreg. 97205, or Post Office Box 1071, Portland, Oreg. 97207.

PENNSYLVANIA

Medical Service Association of Pennsylvania, Blue Shield Building, Camp Hill, Pa. 17011.

PUERTO RICO

Mutual of Omaha Insurance Co., Post Office Box 1298, Omaha, Nebr. 68101.

RHODE ISLAND

Mutual of Omaha Insurance Co., Post Office Box 1298, Omaha, Nebr. 68101.

SOUTH CAROLINA

Mutual of Omaha Insurance Co., Post Office Box 1298, Omaha, Nebr. 68101.

SOUTH DAKOTA

South Dakota Medical Service, Inc., 711 North Lake Avenue, Sioux Falls, S. Dak. 57104.

TENNESSEE

Tennessee Hospital Service Association, 707 Chestnut Street, Chattanooga, Tenn. 37402.

TEXAS

Mutual of Omaha Insurance Co., Post Office Box 1298, Omaha, Nebr. 68101.

UTAH

Blue Shield of Utah, 2455 Parley's Way or Post Office Box 270, Salt Lake City, Utah 84110.

VERMONT

New Hampshire-Vermont Physician Service, 1 Pillsbury Street, Concord, N.H. 03301.

VIRGINIA

(Excludes Arlington and Fairfax Counties, and the city of Alexandria which are served by the fiscal agent for the District of Columbia.)
Virginia Medical Service Association, 4010 West Broad Street, Richmond, Va. 23230.

WASHINGTON

Washington Physicians' Service, 1800 Terry Avenue, Seattle, Wash. 98101.

WEST VIRGINIA

Medical-Surgical Care, Inc., 203 Union Trust Building, Parkersburg, W. Va. 26101.

WISCONSIN

State Medical Society of Wisconsin, 330 East Lakeside Street, Madison, Wis. 53705, or Post Office Box 1109, Madison, Wis. 53701.

WYOMING

Wyoming Medical Service, Inc., 1420 House Avenue or Post Office Box 2266, Cheyenne, Wyo. 82001.

KENNETH G. WICKHAM,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 67-4759; Filed, Apr. 28, 1967; 8:45 a.m.]

Title 30—MINERAL RESOURCES

Chapter I—Bureau of Mines, Department of the Interior

SUBCHAPTER M—RULES AND REGULATIONS FOR THE ADMINISTRATION OF GRANTS

PART 52—GRANTS FOR SUPPORT OF RESEARCH RELATED TO AUTHORIZED BUREAU OF MINES PROGRAMS

Notice of proposed rule making, public rule making procedures and postponement of effective date have been omitted in the issuance of this Part 52 since it relates solely to grants for scientific research and development projects.

Effective date. These regulations shall become effective on the date of publication in the FEDERAL REGISTER.

WALTER R. HIBBARD, Jr.,
Director, Bureau of Mines.

The new Part 52 reads as follows:

Subpart A—General

Sec.
52.1 Purpose.
52.2 Bureau of Mines' responsibility.
52.3 Definition of terms.
52.4 Purpose of making, and entities eligible to receive grants.

Subpart B—Applications for Grants

52.5 Manner of submission.

Subpart C—Approval of Applications and Limitations

52.6 Return of defective submissions.
52.7 Requirements for approval.
52.8 Limitations.

Subpart D—Fiscal and Accounting

52.9 Procedure for obtaining payments.
52.10 Cost computation principles.
52.11 Title to property.
52.12 Accounting records.

Subpart E—Progress and Accomplishment Reports

52.13 Project completion or termination reports.
52.14 Special reports.
52.15 Acknowledgment of Federal Government participation.

Subpart F—Consultation and Coordination

52.16 Cooperation.
52.17 Advice, assistance, and coordination.

Subpart G—Audits and Inspections

52.18 Introduction.
52.19 Audits.
52.20 Inspections.

AUTHORITY: The provisions of this Part 52 issued under P.L. 89-672, 80 Stat. 951, and P.L. 85-934, 72 Stat. 1793, 42 U.S.C. 1891-1893.

Subpart A—General

§ 52.1 Purpose.

The regulations in this part are issued pursuant to P.L. 85-934 (72 Stat. 1793, 42 U.S.C. 1891) to provide uniform procedures for the award and administration of grants for scientific research in furtherance of the Bureau's programs as authorized by the Acts.

§ 52.2 Bureau of Mines' responsibility.

The Secretary of the Interior has delegated to the Director, Bureau of Mines, authority to take the actions and make the determinations that are the responsibility of the Secretary.

§ 52.3 Definition of terms.

As used in this subchapter, the terms:

(a) "Secretary" means the Secretary of the Interior.

(b) "Director" means the Director, Bureau of Mines.

(c) "Bureau" means the Bureau of Mines.

(d) "Fiscal year" means a 12-month period ending on June 30.

(e) "Act" means Public Law 85-934 (72 Stat. 1793, 42 U.S.C. 1891-1893).

§ 52.4 Purpose of making, and entities eligible to receive grants.

(a) Subject to the availability of appropriated funds, grants may be made pursuant to section 1 of the Act, for the conduct of scientific or technological research into any aspect of the problems related to the programs of the Bureau which are authorized by statute.

(b) Grants may be made to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research.

Subpart B—Applications for Grants

§ 52.5 Manner of submission.

(a) An application should be submitted in an original and five copies to the Director, Bureau of Mines, Department of the Interior, Washington, D.C. 20240. A separate application must be submitted for each project.

(b) The application should include a statement as to the nature of the organization, its officers, principal business, experience, and special qualifications for conducting the project for which application is being made.

(c) Information required with application: Applications shall be in the form of proposals to undertake specific projects. Such proposals shall set forth for each project:

(1) The nature and scope of the project to be undertaken.

(2) The period during which it shall be pursued.

(3) The name and qualifications of the person who will direct the project.

(4) The number and general qualifications of the personnel who will work on the project, with the name, education, experience, and accomplishments of the principal scientist who will be assigned to it.

(5) The location or locations at which the project will be pursued.

(6) The relation of the project to other known research projects theretofore pursued or currently being pursued by the applicant and by others.

(7) The extent to which the project will provide opportunity for the training of scientists.

(8) A financial plan setting forth cash requirements subdivided between grant and non-Federal funds:

(i) For each quarter of the first fiscal year, and

(ii) For each subsequent fiscal year during the proposed life of the project.

(9) The financial plan will include:

(i) The amount requested for direct expenses, by category of direct expense.

(ii) The amount requested for indirect expenses related to the requested direct expenses.

(iii) The total grant request.

(iv) The additional amount which the grantee proposes as its contribution from non-Federal sources.

(10) The facilities that will be devoted to the project.

(11) The salient points of the plan that will be followed in pursuing the project, including a financial plan in which expenditures are related to activity and rate of effort to be expended.

(12) The intended method of publishing the results of the project on a timely basis.

(13) The basis for a determination that the project could not be undertaken without the grant for which application is made.

(14) Assurance that, if the grant is made, the required funds from the non-Federal sources will be forthcoming.

(15) Information as to whether the project or part of the project has been or will be submitted to organizations other than the Bureau for the purpose of obtaining a grant.

Subpart C—Approval of Applications and Limitations

§ 52.6 Return of defective submissions.

Upon receipt of an application for a grant pursuant to the Act, the Director shall determine whether the submission conforms to the requirements of § 52.5. Nonconforming submissions will be returned with statements of the reasons for their return.

§ 52.7 Requirements for approval.

The Director may approve proposals submitted under this Part 52 after determining:

(a) The applicant is a bona fide organization that has qualifications necessary to perform the work.

(b) The proposal was properly signed by the applicant or its duly authorized agent.

(c) The research to be undertaken is related to the programs of the Bureau.

(d) Such research is desirable and covers aspects of problems not otherwise being studied.

(e) A reasonable relationship exists between the cost to the Government and the probable results to be achieved.

(f) The applicant has expressed a willingness to enter into a research project agreement acceptable to the Director.

§ 52.8 Limitations.

(a) Any grant made under the Act shall contain provisions effective to insure that all information, uses, processes, patents, and other developments resulting from any activity taken pursuant to such grant will be made readily available on fair and equitable terms to industries engaging in furnishing devices, facilities, equipment, and supplies to be used in connection with such developments. In carrying out this provision, the Bureau will make use of and adhere to the Statement of Government Patent Policy promulgated by the President's memorandum of October 10, 1963.

(b) Attention is called to the requirements of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; P.L. 88-352) which provides that no person in the United States shall on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance (sec. 601) and to the implementing regulation issued by the Secretary of the Interior with the approval of the President (43 CFR Part 17).

(c) Any grant for a project which involves a federally assisted construction contract, as defined in Executive Order 11246, September 24, 1965 (30 F.R. 12319), shall be subject to the condition that the grantee shall comply with the requirements of said Executive order and with applicable rules, regulations, and procedures prescribed pursuant thereto.

(d) Any grant made under the Act shall contain provisions effective to insure that the Bureau may from time to time disseminate in the form of reports or publications to public or private agencies or organizations, or individuals such information as the Director deems desirable on the research carried out pursuant to such grant.

Subpart D—Fiscal and Accounting

§ 52.9 Procedure for obtaining payments.

(a) After the grant agreement has been formally signed, payments of grant funds to the grantee will be made on public vouchers prepared, signed, and submitted by the grantee in three copies to the Director. Such vouchers will provide for amounts to be paid to the grantee as funds are required for expenditures under an approved financial plan.

(b) In the case of matching grants, the grantee will also submit evidence that a proper relationship is being maintained between expenditures of grant and non-Federal funds.

(c) When applicable, payments will be made under Letter of Credit procedures prescribed by Treasury Circular No. 1075.

§ 52.10 Cost computation principles.

(a) The cost computation principles prescribed in this section shall be utilized in the cost accounting required with respect to grants under the Act to provide evidence that the recipient has discharged the obligation it assumed, when accepting these funds, to expend them solely for costs necessary for the accomplishment of the work for which they were received. These principles will also be applied in accounting for costs financed with non-Federal funds where those costs pertain to programs financed in part by grants under the Act.

(b) Basic cost formulas: Costs will be computed:

(1) By educational institutions, in accordance with Bureau of the Budget Circular A-21, as revised.

(2) By all entities other than educational institutions, in accordance with the Federal Procurement Regulations (second edition) (41 CFR 1-15.2).

§ 52.11 Title to property.

(a) Title to property purchased with funds from non-Federal sources used in the research activity under the Act shall be vested in the grantee.

(b) Title to property purchased with grant funds shall vest in the Govern-

ment unless the Director determines, in accordance with section 2 of the Act, that vesting title in the grantee would further the objectives of the Bureau.

§ 52.12 Accounting records.

(a) Recipients of funds under the Act, shall be responsible for maintaining books of account that clearly, accurately, and currently reflect the financial transactions involving grants financed under the Act and also transactions financed with matching funds from sources other than the Federal Government. In addition, they shall maintain files of all papers necessary to explain and prove the validity of the transactions recorded.

(b) Such records, with all supporting and related documents shall, at all reasonable times, be made available, upon request, for inspection and audit by representatives of the Secretary and of the Comptroller General of the United States.

(c) Records relating to each grant shall be retained and made available until the expiration of 3 years after the grantee's last disbursement of such funds.

(d) The books and records maintained shall include a record of all property:

(1) Received from the Federal Government.

(2) Charged as a cost of activities financed with funds provided by the Act.

(3) Included in costs paid with non-Federal funds to match grant funds.

(e) An accountability record shall be maintained for all items of property that have expected useful service life of more than 1 year and have an acquisition cost of $100 or more.

(f) Grantees shall include the following provision in any contract for services, equipment, or supplies they make that requires payments exceeding $2,500 from funds furnished under the Act or non-Federal funds used to match such Federal funds:

Representatives of the Secretary of the Interior or of the Comptroller General of the United States shall, until the expiration of 3 years after final payment under this contract, have access to and the right to examine any directly pertinent books, documents, papers, and records relating to this contract.

For the purposes of this requirement, contracts for public utility services at rates established for uniform applicability to the general public are excluded.

Subpart E—Progress and Accomplishment Reports

§ 52.13 Project completion or termination reports.

(a) Recipients of funds under the Act are encouraged to publish as technical literature, the findings, results, and conclusions relating to separately identifiable projects. Five copies of such documents shall be furnished to the Director, together with supplementary information suitable for project documentation purposes.

(b) If a publication such as is described in paragraph (a) of this section has not been prepared with respect to a specific research project, recipients of the Act shall, in conjunction with the completion or termination of the project, prepare a report which sets forth the findings, results, and conclusions relating to such project. Five copies of the report shall be furnished to the Director, together with supplementary information suitable for project documentation purposes.

§ 52.14 Special reports.

All organizations and individuals receiving funds under grants made pursuant to the Act shall submit such reasonable special or interim reports as may from time to time be specifically requested by the Director.

§ 52.15 Acknowledgment of Federal Government participation.

Appropriate acknowledgment shall be given by grantees to the Bureau of Mines' participation in financing research carried out under provisions of the Act. Such acknowledgment shall be included in publications, news releases, and other information media developed to publicize, describe, or report upon research activities and accomplishments carried out in whole or part with funds received under provisions of the Act.

Subpart F—Consultation and Coordination

§ 52.16 Cooperation.

The Director shall encourage and assist in the establishment and maintenance of cooperation by and between grantees and between them and other research organizations, the U.S. Department of the Interior, and other Federal establishments.

§ 52.17 Advice, assistance, and coordination.

The Director shall furnish such advice and assistance as he believes will best carry out the mission of the Bureau, participate in coordinating all research initiated under this Act, and indicate the lines of inquiry which seem to him most important.

Subpart G—Audits and Inspections

§ 52.18 Introduction.

Representatives of the Secretary and of the Comptroller General of the United States may conduct on-site audits and inspections of grantees which have received Federal funds pursuant to the Act.

§ 52.19 Audits.

Audits conducted at the direction or on behalf of the Secretary will extend to a determination and appropriate finding of fact concerning compliance with the provisions of the grant, the regularity and accuracy of financial transactions and recording, adequacy of property accountability and internal control, and reliability of financial reporting. As a part of such audits, examinations will be made on a selective basis to determine that matching funds have been received and properly expended by recipients of matching-fund grants under the Act and that grantees maintain a proper relationship between costs paid with funds provided under the Act. Professional audit techniques will be applied, and accepted principles of business administration will be the governing criteria.

§ 52.20 Inspections.

In relation to the substantive scientific research operations of grantees the Director may, with such personnel as he considers qualified and with such procedures as he determines to be suitable, perform inspections of activities authorized and financed pursuant to the Act. Such inspections will cover acceptability of progress, consistency with approved plans, and other factors the Director deems important to enable him to discharge his responsibilities for achievements consistent with purposes of the Act.

[F.R. Doc. 67-4758; Filed, Apr. 28, 1967; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4197]

[Washington 05200]

WASHINGTON

Partial Revocation of Lighthouse Withdrawal

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Except as provided in paragraph 4, Executive Order No. 5630 of May 25, 1931, reserving lands for lighthouse purposes, is hereby revoked so far as it affects the following described land:

WILLAMETTE MERIDIAN

T. 34 N., R. 2 W.,
Sec. 8, lot 7.

The area described contains 33.75 acres in San Juan County.

2. Until 10 a.m. on October 23, 1967, the State of Washington shall have a preferred right of application to select the land as provided by R.S. 2276, as amended (43 U.S.C. 852). After that time, the land shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on October 23, 1967, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. The lands will be open to location for nonmetalliferous minerals at 10 a.m. on October 23, 1967. They have been open to applications and offers under the mineral leasing laws, and to location under the U.S. mining laws for metalliferous minerals.

4. A lighted aid to navigation has been erected by the United States upon the lands. This improvement, together with 1 acre, more or less, necessary for the maintenance and operation thereof and an access way thereto, are retained by the United States from the foregoing revocation of Executive Order No. 5630. This tract, together with the access way thereto, is identified upon the records of the Bureau of Land Management at Portland, Oreg., and at Spokane, Wash., and is delineated upon the ground.

Inquiries concerning the land should be addressed to the Manager, Land Office, Bureau of Land Management, Portland, Oreg.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4760; Filed, Apr. 28, 1967; 8:45 a.m.]

[Public Land Order 4198]

[Idaho 834]

IDAHO

Revocation of Withdrawals for National Forest Administrative Sites and Recreation Area

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The departmental order of October 26, 1908, Public Land Order 1374, of December 20, 1956, and Public Land Order No. 1564, of December 12, 1957, withdrawing national forest lands as administrative sites and a recreation area are hereby revoked so far as they affect the following described lands:

BOISE MERIDIAN

PAYETTE NATIONAL FOREST

Hays Station Administrative Site

T. 22 N., R. 7 E.,
In secs. 13, 14, 23, and 24, a tract of land described by metes and bounds, as described in D.O. of 1908, and containing approximately 54 acres.

Nelson Point Lookout Administrative Site

T. 23 N., R. 7 E.,
Sec. 10, NE¼ (unsurveyed).

Pilot Peak Lookout Administrative Site

T. 21 N., R. 8 E.,
Sec. 7, SW¼NE¼, SE¼NW¼, NE¼SW¼, NW¼SE¼ (unsurveyed).

SALMON NATIONAL FOREST

Sheep Horn Lookout Administrative Site

T. 18 N., R. 20 E.,
Sec. 15, NE¼NW¼SW¼.

Horse Creek Hot Springs Recreation Area

T. 25 N., R. 17 E.,
Sec. 15, W½NE¼, E½NW¼SE¼, W½NE¼SE¼, E½SW¼SE¼, and W½SE¼SE¼;
Sec. 22, NE¼NE¼.

The areas described aggregate approximately 584 acres in Idaho, Lemhi, and Valley Counties.

2. Subject to the provisions of existing withdrawals, at 10 a.m. on May 30, 1967, the lands shall be open to such forms of disposition as may by law be made of national forest lands.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4761; Filed, Apr. 28, 1967; 8:45 a.m.]

[Public Land Order 4199]

[Anchorage 063868]

ALASKA

Partial Revocation of Public Land Order No. 47 of October 12, 1942

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 47 of October 12, 1942, withdrawing public lands in Alaska for military purposes is hereby revoked so far as it affects the following described lands:

SEWARD MERIDIAN

T. 12 N., R. 4 W.,
Sec. 5, E½;
Sec. 8, W½NE¼ and lots 1 and 4 to 7, inclusive.

The areas described aggregate 549.55 acres. A microwave repeater station, access roads, and power distribution lines have been constructed by the United States upon the lands. These improvements, together with sufficient land necessary for the maintenance, and operation thereof, are retained by the United States from the foregoing revocation of Public Land Order 47. These tracts are identified in the records of the Bureau of Land Management in Anchorage, Alaska, and are delineated upon the ground.

2. Until 10 a.m. on July 24, 1967, the State of Alaska shall have a preferred right to select the lands as provided by section 6(g) of the Alaskan Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR 2222.9. After that time the lands shall be open to operation of the public land laws generally, including the mining and mineral leasing laws, subject to valid existing rights, the provisions of existing withdrawals and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on July 24, 1967, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Anchorage, Alaska.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4762; Filed, Apr. 28, 1967; 8:45 a.m.]

[Public Land Order 4200]

[Oregon 590]

OREGON

Powersite Restoration No. 666; Powersite Cancellation No. 255; Partial Revocation of Certain Powersite Withdrawals and Opening of Land

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority contained in the act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and 1950 Reorganization Plan No. 3 (64 Stat. 1262; 5 U.S.C. 133z-15, Note), and in section 24 of the act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and pursuant to the determination of the Federal Power Commission in DA-519-Oregon, it is ordered as follows:

1. The Executive Orders of March 17, 1913, and May 19, 1913, establishing Powersite Reserve No. 344, and the departmental order of November 24, 1922, creating Powersite Classification No. 51, Oregon No. 5, are hereby revoked so far as they affect the following described lands:

WILLAMETTE MERIDIAN

T. 30 S., R. 33 E.,
Sec. 10, NE¼SE¼;
Sec. 23, NE¼NW¼ and SW¼SE¼;
Sec. 25, SE¼NW¼, NW¼SW¼SW¼, S½SW¼SW¼, S½NE¼SE¼, and NW¼SE¼;
Sec. 26, W½NW¼NE¼, NW¼NE¼SE¼, and S½NE¼SE¼.
T. 31 S., R. 33 E.,
Sec. 2, lots 2, 3, and 4;
Sec. 3, lots 1, 2, 3, 7, and 8;
Sec. 10, N½NE¼, SE¼NE¼, and NE¼SE¼;
Sec. 11, lots 1, 2, 3, 4, 6, and 7;
Sec. 14, lot 2;
Sec. 26, lots 1, 4, and 5.
T. 30½ S., R. 34 E.,
Sec. 29, lot 2 and SW¼NE¼;
Sec. 30, lot 1;
Sec. 31, lots 2, 3, and 4, SW¼NE¼, SE¼NW¼, E½SW¼, and W½SE¼.
T. 31 S., R. 34 E.,
Sec. 6, lots 2, 5, 6, and 7, SW¼NE¼, E½SW¼, and W½SE¼;
Sec. 7, lots 1, 2, 3, and 4, W½E½, and E½W½;
Sec. 18, lots 1, 2, 3, and 4, W½E½, and E½W½;
Sec. 19, E½ and E½W½;
Sec. 20, W½SW¼;
Sec. 30, lots 2 and 3, NE¼, E½NW¼, and W½SE¼;
Sec. 31, lot 3 and E½NW¼.

The areas described, including the public and nonpublic lands, aggregate 3,750.94 acres in Harney County, of which the SW¼SE¼, sec. 23, T. 30 S., R. 33 E., and lots 2, 3, 4, and E½SW¼, sec. 31, T. 30½ S., R. 34 E., are patented lands.

The lands are situated about 50 miles southeast of Burns, Oreg. Soils are silty clay loam mixed with rock and gravel. Vegetation consists of western juniper, bluebunch wheatgrass, sagebrush and other native shrubs, forbs, and grasses.

2. In DA-519-Oregon, the Federal Power Commission determined that the power value of the following described lands, withdrawn in Powersite Reserve No. 344, will not be injured or destroyed by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act:

WILLAMETTE MERIDIAN

T. 30 S., R. 33 E.,
Sec. 25, N½NE¼SE¼ and NE¼SW¼SW¼;
Sec. 26, E½NW¼NE¼ and NE¼NE¼SE¼.

The areas described aggregate 60 acres in Harney County.

3. At 10 a.m. on May 30, 1967, the lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on May 30, 1967, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. Any disposals of the lands described in paragraph 2, above, shall be subject to the provisions of section 24 of the Federal Power Act of June 10, 1920, supra, as specified by the Federal Power Commission in its determination DA-519-Oregon.

The lands have been open to applications and offers under the mineral leasing laws, and to location under the U.S. mining laws subject to the provisions of the act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

The State of Oregon has waived the preference rights granted under R.S. 2276, as amended (43 U.S.C. 852), and under section 24 of the act of June 10, 1920 (16 U.S.C. 818), as amended.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Portland, Oreg.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4763; Filed, Apr. 28, 1967; 8:45 a.m.]

[Public Land Order 4201]

[Sacramento 079554]

CALIFORNIA

Powersite Cancellation No. 228; Partial Cancellation of Powersite Classification No. 117

By virtue of the authority contained in the act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and in 1950 Reorganization Plan No. 3 (64 Stat. 1262; 5 U.S.C. 133z-15, Note), it is ordered as follows:

1. The departmental order of October 1, 1925, establishing Powersite Classification No. 117 is hereby cancelled so far as it affects the following described lands:

MOUNT DIABLO MERIDIAN

T. 33 N., R. 9 W.,
Sec. 6, lots 6 and 7, lot 8 (now lots 18 and 19), lots 11, 13, 14, 15, and 16, N½NE¼SW¼, SW¼NE¼SW¼, and NW¼SE¼SW¼.
Sec. 7, lots 20, 22, and 23, N½NE¼NW¼, and SW¼NE¼NW¼ (formerly lot 2).
T. 34 N., R. 9 W.,
Sec. 31, lot 5, M.L. No. 37, and SW¼SE¼ (S½SE¼), and NE¼SE¼.

The areas described, including the public and nonpublic lands, and lands in the Trinity National Forest, aggregate approximately 343 acres.

The lands are located on the outskirts of Weaverville, Calif. Elevation ranges from 2,200 to 2,500 feet.

2. Until 10 a.m. on October 23, 1967, the State of California shall have a preferred right of application to select the public lands as provided by R.S. 2276, as amended (43 U.S.C. 852). After that time the public lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on October 23, 1967, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. At 10 a.m. on May 30, 1967, the national forest lands shall be open to such forms of disposition as may by law be made of such lands.

The lands have been open to applications and offers under the mineral leasing laws, and to location under the U.S. mining laws, subject to the provisions of the act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Sacramento, Calif.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4764; Filed, Apr. 28, 1967; 8:45 a.m.]

[Public Land Order 4202]

[Wyoming 0317703]

WYOMING

Revocation of Air Navigation Withdrawal No. 218

By virtue of the authority contained in section 4 of the act of May 24, 1928 (45 Stat. 729; 49 U.S.C. 214), it is ordered as follows:

1. The departmental order of June 3, 1944, which withdrew the following described public lands as Air Navigation Site Withdrawal No. 218, is hereby revoked:

SIXTH PRINCIPAL MERIDIAN

T. 20 N., R. 100 W.,
Sec. 32, E½SW¼SW¼.

Containing 20 acres in Sweetwater County.

The lands are located about 30 miles northeast of Rock Springs near a prominent landmark known as Point of Rocks. The topography is rough and broken. Vegetative cover is primarily a sagebrush-grass association.

2. Until 10 a.m. on October 23, 1967, the State of Wyoming shall have the preferred right of application to select the lands as provided by R.S. 2276, as amended (43 U.S.C. 852). After that time the lands shall be open to the operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on October 23, 1967, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. The lands will be open to location under the U.S. mining laws at 10 a.m. on October 23, 1967. They have been open to applications and offers under the mineral leasing laws.

Inquiries should be addressed to the Manager, Land Office, Bureau of Land Management, Cheyenne, Wyo. 82001.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4765; Filed, Apr. 28, 1967; 8:45 a.m.]

[Public Land Order 4203]

[New Mexico 1460, 1452]

NEW MEXICO

Partial Revocation of Public Water Reserve No. 107

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The Executive Order of April 17, 1926, creating Public Water Reserve No. 107, as construed by Department of the Interior Interpretation No. 140 of November 11, 1930, is hereby revoked so far as it affects the following described land:

NEW MEXICO PRINCIPAL MERIDIAN

T. 19 S., R. 9 W.,
Sec. 25, S½SW¼.

The area described contains 80 acres in Grant County.

The land is located some 35 miles southeast of Silver City, N. Mex. The terrain is submountainous and the soils are shallow. Vegetal cover consists of mixed grama grasses with scattered oak brush.

2. This revocation so far as it affects the SE¼SW¼, is made in furtherance of an exchange under section 8 of the act of June 28, 1934 (48 Stat. 1272), as amended by section 3 of the act of June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g) by which the offered lands will benefit a Federal Land Program. This restoration of the SE¼SW¼ is therefore not subject to R.S. 2276 as amended (43 U.S.C. 852), granting the State of New Mexico a preference right to select the lands or any portion thereof.

3. At 10 a.m. on May 30, 1967, the SW¼SW¼ shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on May 30, 1967, shall be considered as simultaneously filed at that time.

Those received thereafter shall be considered in the order of filing.

4. The SW¼SW¼ will be open to location for nonmetalliferous minerals at 10 a.m. on May 30, 1967. It has been open to applications and offers under the mineral leasing laws, and to location under the U.S. mining laws for metalliferous minerals.

The State of New Mexico, as to the SW¼SW¼, has waived the preference right of application granted to certain States by R.S. 2276, as amended (43 U.S.C. 852).

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Santa Fe, N. Mex.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4766; Filed, Apr. 28, 1967; 8:45 a.m.]

[Public Land Order 4204]

[Anchorage 059534]

ALASKA

Partial Revocation of Public Land Order No. 1552

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 1552 of November 7, 1957, withdrawing lands for administration or transfer under the act of May 4, 1956 (70 Stat. 130), is hereby revoked so far as it affects the following described lands:

SEWARD MERIDIAN

DANIELS LAKE

T. 8 N., R. 11 W.,
Sec. 27, lots 4 and 5.

The areas described aggregate 7.63 acres.

2. Until 10 a.m. on July 24, 1967, the State of Alaska shall have a preferred right to select the lands as provided by section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR 2222.9. After that time the lands shall be open to the operation of the public land laws generally, including the mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on July 24, 1967, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The lands have been open to applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the Manager, Bureau of Land Management, District and Land Office, Anchorage, Alaska.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4767; Filed, Apr. 28, 1967; 8:46 a.m.]

[Public Land Order 4205]

[Nevada 051784]

NEVADA

Revocation of Air Navigation Site Withdrawal No. 235

By virtue of the authority contained in section 4 of the act of May 24, 1928 (45 Stat. 729; 49 U.S.C. 214), it is ordered as follows:

1. The departmental order of August 18, 1947, which withdrew the following described public lands as Air Navigation Site Withdrawal No. 235, is hereby revoked:

MOUNT DIABLO MERIDIAN

T. 24 S., R. 58 E.,
Sec. 23, S½SE¼SE¼.

Containing 20 acres in Clark County.

The lands are located north of Goodsprings, Nev., and are accessible by a dirt road. Topography is nearly level to gently sloping. Vegetative cover consists of typical desert shrubs.

2. At 10 a.m. on May 3, 1967, the lands shall be open to operation of the public land laws generally, including the mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on May 30, 1967, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. The lands have been open to applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Reno, Nev.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

[F.R. Doc. 67-4768; Filed, Apr. 28, 1967; 8:46 a.m.]

[Public Land Order 4206]

[New Mexico 1240]

NEW MEXICO

Partial Revocation of Public Land Order No. 2198 of August 26, 1960

By virtue of the authority contained in section 4 of the Act of March 3, 1927 (44 Stat. 1347; 25 U.S.C. 398d) it is ordered as follows:

1. Public Land Order No. 2198 of August 26, 1960, which withdrew lands for Indian use, is hereby revoked so far as it affects the following described land:

NEW MEXICO PRINCIPAL MERIDIAN

T. 17 N., R. 5 W.,
Sec. 35, all.

The area described contains 640 acres.

2. This revocation is made in furtherance of an exchange under Section 8 of the Act of June 28, 1934 (48 Stat. 1272), as amended by Section 3 of the Act of June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g) by which the offered lands will benefit a Federal land program. This restoration is therefore not subject to the provisions of R.S. 2276 as amended (43 U.S.C. 852), granting the State of New Mexico a preference right of application to select the lands or any portion thereof upon revocation of an order of withdrawal.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4769; Filed, Apr. 28, 1967; 8:46 a.m.]

[Public Land Order 4207]

[Sacramento 080349]

CALIFORNIA

Powersite Restoration No. 655; Partial Revocation of Powersite Reserve No. 710

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141) and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

The Executive order of August 22, 1919, creating Powersite Reserve No. 710 is hereby revoked so far as it affects the following described lands:

MOUNT DIABLO MERIDIAN

All portions of the following described lands within 50 feet of the centerline of the transmission line location of the Pacific Gas & Electric Co.:

T. 22 N., R. 2 E.,
Sec. 36, NW¼NW¼.
T. 22 N., R. 3 E.,
Sec. 8, SE¼SW¼NE¼, unpatented mineral land in NE¼NW¼NE¼, NE¼SE¼SW¼, and W½NW¼SE¼.
T. 19 N., R. 4 E.,
Sec. 7, unpatented land in SW¼;
Sec. 18, unpatented land in NW¼.
T. 18 N., R. 5 E.,
Sec. 21, E½NW¼.
T. 16 N., R. 6 E.,
Sec. 2, N½NE¼ (lots 1 and 2);
Sec. 28, lot 17.
T. 12 N., R. 7 E.,
Sec. 12, lots 2, and 12 (lots 13, 14, 15, and portion M.S. 4598), and mineral lots 49A and 49B.
T. 17 N., R. 7 E.,
Sec. 23, N½;
Sec. 24, lot 1 (lot 9 and E½NW¼NW¼).
T. 10 N., R. 8 E.,
Sec. 20, NW¼NE¼.
T. 12 N., R. 8 E.,
Sec. 17, unpatented land in lot 11 (lots 21 and 24 and portion M.S. 5432).
T. 15 N., R. 8 E.,
Sec. 1, lot 3, unpatented land in lot 4;
Sec. 26, SW¼SW¼.
T. 16 N., R. 8 E.,
Sec. 12, lot 1;
Sec. 31, SE¼SE¼;
Sec. 32, W½W½SW¼SW¼;
Sec. 35, lot 9 and unpatented mineral land in SE¼SW¼.
T. 17 N., R. 8 E.,
Sec. 11, NE¼NW¼NE¼;
Sec. 20, SE¼;
Sec. 22, lot 10.
T. 15 N., R. 9 E.,
Sec. 2, lots 8 and 10.
T. 7 N., R. 10 E.,
Sec. 25, SW¼NE¼.
T. 15 N., R. 10 E.,
Sec. 3, unpatented land in W½ lot 5 in NW¼;
Sec. 4, lots 5 (of NE¼), 9, 18, 19, and 21.

T. 16 N., R. 10 E.,
Sec. 13, lot 9 (unpatented land in SW¼SW¼);
Sec. 23, lots 10, 11, 12, 13, and 14, and NW¼SW¼.
T. 5 N., R. 11 E.,
Sec. 1, lot 11, and unpatented land in W½NW¼ (lot 13);
Sec. 10, lot 2;
Sec. 13, E½NE¼SE¼;
Sec. 25, W½SW¼NW¼ and W½NW¼SE¼;
Sec. 26, lot 10;
Sec. 27, W½SE¼NE¼;
Sec. 36, NW¼NE¼ (lot 2), E½NW¼ (lots 3 and 4, M.S. 5536 and portion M.S. 6517), and E½E½NE¼SW¼.
T. 3 N., R. 12 E.,
Sec. 4, lot 5.
T. 4 N., R. 12 E.,
Sec. 6, lot 7;
Sec. 7, lots 1, 6, and 7.
T. 6 N., R. 12 E.,
Sec. 29, SE¼SW¼.
T. 2 N., R. 13 E.,
Sec. 11, lot 4;
Sec. 13, lots 8 and 9.
T. 3 N., R. 13 E.,
Sec. 19, M.S. 4079–B (lot 10);
Sec. 30, unpatented mineral land in SW¼SE¼;
Sec. 33, lots 5, 7, 9, and 24, and mineral lot 40.
T. 1 N., R. 14 E.,
Sec. 5, lots 2 (lots 17 to 24, inclusive), 3, 6 (lots 29, 30, and 31), 7 (lots 32 to 36, inclusive), and 11;
Sec. 9, lots 9, 15, and 17, and mineral lot 46B, and mineral lot 4 in the NE¼SW¼ and NW¼SE¼;
Sec. 16, lots 1 and 2.
T. 2 N., R. 14 E.,
Sec. 31, lot 13 (portions of lots 15, 16, 19, and M.S. 6307 in NE¼NE¼);
Sec. 32, lots 1, 2 (lot 20), 3 (lot 21), 7, and 9.
T. 1 S., R. 14 E.,
Sec. 2, lots 6, 11, 20, 22, and 23;
Sec. 11, NE¼SE¼ (lot 9);
Sec. 12, NW¼SW¼ (lots 7 and 8 and portion mineral lot 49);
Sec. 13, lots 1, 4, and 5, and SW¼NE¼.
T. 2 S., R. 15 E.,
Sec. 2, NE¼NE¼ (lot 1 and portion mineral lot 39), S½NE¼, E½NW¼ (lot 3 and SE¼NW¼), W½SE¼, and SE¼SE¼;
Sec. 12, lot 3, E½NW¼, W½SE¼, and SE¼SE¼;
Sec. 13, E½NE¼.
T. 1 S., R. 16 E.,
Sec. 20, lots 7, 8, and 9, and SE¼SE¼ (lots 9, 14 to 18, inclusive, and Good Luck Quartz Mine and portion M.S. 5620 A and B);
Sec. 29, NE¼NE¼ (lot 4 and portion M.S. 5620 A and B), and NW¼NE¼ (lot 1);
Sec. 30, SE¼NE¼ (lots 13, 14, and 16), and W½SW¼ (lots 5 and 6) (except patented mineral entries);
Sec. 31, NW¼NW¼ (lot 1).
T. 2 S., R. 16 E.,
Sec. 18, lots 1, 4, and 5, E½SW¼, and SW¼SE¼;
Sec. 19, lots 7, 8, and NW¼NE¼ (lot 10 and portion M.S. 3602);
Sec. 20, lots 1 and 2;
Sec. 29, lot 8.

The area described contains approximately 178 acres.

The lands have either been patented, or are included in other withdrawals, or have been subject to the General Determination of the Federal Power Commission issued April 17, 1922.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4770; Filed, Apr. 28, 1967; 8:46 a.m.]

[Public Land Order 4208]

[New Mexico 0556601]

NEW MEXICO

Withdrawal for Ecological Plot; Partial Revocation of Public Land Order No. 4038

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described public land, which is under the jurisdiction of the Secretary of the Interior, is hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved for an ecological plot:

NEW MEXICO PRINCIPAL MERIDIAN

T. 20 S., R. 18 W.,
Sec. 9, SE¼NE¼.

The area described contains 40 acres in Hidalgo County.

2. Public Land Order No. 4038 of June 6, 1966, withdrawing lands under the jurisdiction of the Department of the Interior for ecological plots and a demonstration area is hereby revoked so far as it affects the following described land:

NEW MEXICO PRINCIPAL MERIDIAN

T. 20 S., R. 8 W.,
Sec. 9, SE¼NE¼.

The area described contains 40 acres of nonpublic land.

3. The withdrawal made by paragraph 1 of this order does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4771; Filed, Apr. 28, 1967; 8:46 a.m.]

[Public Land Order 4209]

[Montana 22 (Minn.)]

MINNESOTA

Restoration of Lands to Tribal Ownership

Whereas, pursuant to the authority contained in R.S. 2382 to 2385 (43 U.S.C. 713–715, 717), the townsite of Sawyer was established upon lands ceded to the United States by the Minnesota Chippewa Tribe (Fond du Lac Band), and

Whereas, there are certain undisposed of lands within the townsite, and

Whereas, the Minnesota Chippewa Tribe and the Commissioner of Indian Affairs have recommended restoration of the townsite lands involved to tribal ownership,

Now, therefore, by virtue of the authority contained in sections 3 and 7 of the act of June 18, 1934 (48 Stat. 984; 25 U.S.C. 463a), I hereby find that the restoration to tribal ownership of the lands described below will be in the public interest, and the said lands are hereby restored to tribal ownership of the Minnesota Chippewa Tribe, Minnesota, subject to any valid existing rights:

FOURTH PRINCIPAL MERIDIAN

Townsite of Sawyer

T. 48 N., R. 18 W.,
Block 1, lots 1 and 2;
Block 4, lots 4, 5 and 6;
Block 5, lots 1, 3 and 4;
Block 6, lots 1 to 8, incl.;
Block 7, lots 1, 2 and 3;
Block 9, lots 1 to 6, incl.;
Block 10, lots 3 to 7, incl.

The areas described aggregate 3.87 acres in Carlton County, being a portion of the S½N½SW¼ of section 4.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4772; Filed, Apr. 28, 1967; 8:46 a.m.]

[Public Land Order 4210]

[Oregon 016899, Oregon 017527 (Wash.)]

OREGON AND WASHINGTON

Withdrawal for John Day Wildlife Management Area

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described public lands which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved for the John Day Wildlife Management Area of the John Day Lock and Dam Project:

OREGON 016899

WILLAMETTE MERIDIAN, OREGON

T. 5 N., R. 26 E.,
Sec. 28, S½;
Sec. 30, S½SE¼SE¼, and that portion of SW¼SE¼ lying southeasterly of the northwesterly right-of-way line of U.S. Highway 730.

The areas described aggregate approximately 348.37 acres in Morrow County.

WILLAMETTE MERIDIAN, WASHINGTON

T. 5 N., R. 24 E.,
Sec. 34, N½S½SW¼ and N½S½S½SW¼.

T. 5 N., R. 26 E.,
Sec. 12, N½SE¼NW¼, SE¼SE¼NW¼, NE¼SW¼SE¼NW¼, N½NE¼SE¼, E½SE¼NE¼SE¼, NW¼SE¼NE¼SE¼, and NE¼SW¼NE¼SE¼.

The areas described aggregate 122.50 acres in Benton County.

2. The withdrawal made by this order does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws. However, leases, licenses, or permits will be issued only if the Corps of Engineers, Department of the Army, finds that the proposed use of the lands will not interfere with the proper operation of its facilities on the lands.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4773; Filed, Apr. 28, 1967; 8:46 a.m.]

[Public Land Order 4211]

[Utah 0149107]

UTAH

Partial Revocation of Phosphate Reserve No. 24

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

The Executive Order of May 11, 1915, creating Phosphate Reserve No. 24, Utah No. 3, is hereby revoked so far as it affects the following described lands:

UINTAH SPECIAL MERIDIAN

T. 1 N., R. 8 W.,
Secs. 29 to 32, inclusive.

The areas described aggregate approximately 2,560 acres. They are within and a part of the Uintah and Ouray Indian Reservation.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4774; Filed, Apr. 28, 1967; 8:46 a.m.]

[Public Land Order 4212]

[ES-1756]

INDIANA

National Forest Addition and Deletion

By virtue of the authority vested in the President by section 24 of the act of March 3, 1891 (26 Stat. 1103; 16 U.S.C. 471), and section 1 of the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Subject to valid existing rights, the following described public lands are hereby added to and reserved as parts of the national forest as indicated, and shall hereafter be subject to all laws and regulations applicable thereto:

SECOND PRINCIPAL MERIDIAN

HOOSIER NATIONAL FOREST

T. 6 N., R. 3 E.,
Sec. 6, SW¼SW¼.
Containing 40 acres.

2. Public Land Order No. 4160 of February 13, 1967, adding lands to the Hoosier National Forest in Indiana is hereby revoked so far as it affects the following described patented lands:

SECOND PRINCIPAL MERIDIAN

T. 6 N., R. 3 E.,
Sec. 6, SE¼SE¼.
Containing 40 acres.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4775; Filed, Apr. 28, 1967; 8:46 a.m.]

[Public Land Order 4213]

[Oregon 018138 (Wash.)]

WASHINGTON

Revocation of Public Land Order No. 1067

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Public Land Order No. 1067 of February 9, 1955, which withdrew the following described lands for use of the Department of the Air Force for aviation purposes, as modified by Public Land Order No. 1191, of July 19, 1955, is hereby revoked:

WILLAMETTE MERIDIAN

T. 19 N., R. 28 E.,
Sec. 4, lots 3, 4, S½NW¼, N½SW¼.
T. 20 N., R. 28 E.,
Sec. 28;
Sec. 30, lots 3, 4, NE¼, E½SW¼;
Sec. 32, N½NW¼, SE¼NW¼.

The areas described aggregate 1,319.57 acres in Grant County, of which lots 3, 4, NE¼ and E½SW¼; section 30, T. 20 N., R. 28 E., W.M., are included in a withdrawal application (Ore-018727-Wash.) of the Bureau of Reclamation, as to which the regulations in 43 CFR 2311.1-2 (a) are applicable. The remaining lands and minerals have been transferred to the jurisdiction of the General Services Administration as property subject to disposition under the Federal Property and Administrative Services Act of 1949 (63 Stat. 378; 40 U.S.C. 471), as amended.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4776; Filed, Apr. 28, 1967; 8:46 a.m.]

[Public Land Order 4214]

[Idaho 017112]

IDAHO

Withdrawal for National Forest Administrative Site and Recreational Areas

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

BOISE MERIDIAN

CARIBOU NATIONAL FOREST

Swan Lake Campground

T. 9 S., R. 43 E.,
Sec. 30, SW¼NW¼SE¼, SW¼SE¼ and SW¼SE¼SE¼.
Totaling 60 acres.

CHALLIS NATIONAL FOREST

Pole Flat Campground

T. 11 N., R. 15 E., unsurveyed,

When surveyed will probably be in the NE¼, sec. 8, more particularly described as:

Beginning at a reference point, being an iron stake set in the ground with 3.5 feet exposed and a pile of rocks raised 1.8 feet high around the stake and which is located on the north bank of the mouth of Pole Creek at the high water mark on the east bank of the Yankee Fork of the Salmon River, thence N. 12°45′ E., 1,385 feet to corner No. 1 from whence a pile of rocks, raised 2.5 feet, bears S. 81° E., 3 feet; thence by metes and bounds: N. 12° E., 734 feet along Yankee Fork to corner No. 2; N. 82° E., 1,477 feet to corner No. 3; S. 5° W., 388 feet to corner No. 4; N. 80° W., 672 feet to corner No. 5; S. 38° W., 496 feet to corner No. 6; S. 70° W., 675 feet to corner No. 1, the point of beginning.

Totaling 15 acres, more or less.

All corners established by placing a Forest Service sign No. 394-C on an iron stake exposed 4.5 feet above ground at each corner.

Jerrys Creek Campground

T. 12 N., R. 15 E., unsurveyed,

When surveyed will probably be in the NE¼, sec. 32, more particularly described as:

Beginning at reference point U.S. Geodetic Survey Marker T. 232, thence N. 34° W., 275 feet to corner No. 1 the true point of beginning, thence by metes and bounds: N. 76° E., 1,070 feet to corner No. 2; S. 29° E., 300 feet to corner No. 3; S. 75° W., 856 feet to corner No. 4; S. 871 feet to corner No. 5; S. 85° W., 380 feet to corner No. 6; N. 7° W., 172 feet to corner No. 7; N. 10° W., 455 feet to corner No. 8; N. 387 feet to corner No. 9; N. 8° W., 165 feet to corner No. 1, the point of beginning.

Totaling 16 acres, more or less.

All corners were established by placing a green iron fence post in the ground and Forest Service sign, form 394-C on each post.

West Fork Campground

T. 12 N., R. 15 E., unsurveyed.

When surveyed will probably be in the W½, sec. 18, more particularly described as:

Beginning at a reference point, being an iron stake set in the ground with 4 feet exposed and which is located 45 feet above high water line on the south bank of the mouth of Sawmill Creek which is on the west bank of the West Fork of the Salmon River, thence N. 29° W., 4,750 feet along the West Fork to corner No. 1 the true point of beginning; thence by metes and bounds: N. 82° W., 450 feet along West Fork to corner No. 2; N. 54° W., 527 feet along West Fork to corner No. 3; N. 27° W., 711 feet along West Fork to corner No. 4; S. 88° W., 295 feet along West Fork to corner No. 5; S. 82° W., 286 feet along West Fork to corner No. 6; N. 17° W., 521 feet across West Fork Road to corner No. 7; S. 81° E., 2,130 feet to corner No. 8; S. 4° E., 859 feet to corner No. 9; S. 39° W., 384 feet to corner No. 1, the point of beginning.

Totaling 39 acres, more or less.

Custer Campground

T. 12 N., R. 15 E., unsurveyed.

When surveyed will probably be in the NE¼, sec. 2, more particularly described as:

Beginning at reference point U.S. Coast and Geodetic Survey Marker No. P 234, thence S. 50° E., 237 feet to corner No. 1 the true point of beginning, thence by metes and bounds: N. 8° W., 307 feet to corner No. 2; N. 47° E., 335 feet to corner No. 3; N. 78° E., 425 feet to corner No. 4; S. 53° E., 235 feet to corner No. 5; N. 78° E., 199 feet to corner No. 6; S. 39° E., 130 feet to corner No. 7; S. 41° W., 403 feet to corner No. 8; S. 75° W., 225 feet to corner No. 9; N. 88° W., 223 feet to corner No. 10; S. 84° W., 367 feet to corner No. 1; the point of beginning.

Totaling 11 acres, more or less.

All corners established by placing Forest Service sign form 394–C on a green iron fence post exposed 54 inches above ground.

PAYETTE NATIONAL FOREST

Chamberlain Administrative Site

T. 24 N., R. 10 E., unsurveyed.

When surveyed will probably be in secs. 26, 27, 34, 35, and 36, more particularly described as:

Commencing at U.S.L.M. No. 344 thence S. 83°09'52" W., 4,319.42 feet to corner No. 1 the real point of beginning; thence by metes and bounds: N. 76°45' W., 929.28 feet to corner No. 2; N. 33°18' W., 1,537.80 feet to corner No. 3; S. 46°49' W., 1,474.44 feet to corner No. 4; S. 4°30' E., 2,730.25 feet to corner No. 5; S. 12°55' E., 2,949.83 feet to corner No. 6; S. 86°28' E., 908.82 feet to corner No. 7; S. 61°06' E., 1,075.14 feet to corner No. 8; E. 2,046.00 feet to corner No. 9; N. 22°36' W., 1,309.44 feet to corner No. 10; N. 71°52' E., 1,626.24 feet to corner No. 11; N. 50°17' E., 1,896.82 feet to corner No. 12; N. 58°12' W., 5,230.44 feet to corner No. 1, the point of beginning.

The areas described aggregate 657.644 acres in Caribou, Custer, and Idaho Counties, Idaho.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4777; Filed, Apr. 28, 1967; 8:46 a.m.]

[Public Land Order 4215]

[Idaho 51]

IDAHO

Withdrawal for National Forest Historic Site

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

CHALLIS NATIONAL FOREST

BOISE MERIDIAN

Custer Historic Site

T. 12 N., R. 15 E., unsurveyed.

A tract of land in the NE¼ of sec. 9, and the NW¼ of sec. 10, more particularly described as beginning at a point which is a scribed cross in a 3-inch pipe cap set in the center of a concrete and rock mound 18 inches high by 4 feet in diameter which bears N. 49° E., 615 feet from USGS Bench Mark H 234, 1960: Thence N. 28° W., 79.5 feet to Corner No. 1; thence S. 64° W., 1682 feet to Corner No. 2; thence S. 16° W., 231 feet to Corner No. 3, which is the mean high water line on the south bank of the Yankee Fork of the Salmon River; thence in a northeasterly direction along said mean high water line about 3,300 feet to Corner No. 4; thence N. 35° W., 415 feet to corner No. 5; thence S. 48° W., 1,168 feet to corner No. 1, the point of closure; thence S. 28° E., 79.5 feet to the concrete and rock mound, the point of beginning.

The area described contains approximately 29 acres in Custer County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4778; Filed, Apr. 28, 1967; 8:47 a.m.]

[Public Land Order 4216]

[Arizona 035160]

ARIZONA

Protective Withdrawal

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described Kofa Game Range lands, which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, for the protection of recreation and other public resource values:

CRYSTAL HILL RECREATION AREA

GILA AND SALT RIVER MERIDIAN

T. 2 N., R. 18 W.,
Sec. 2, lots 3 and 4, S½NW¼ and SW¼;
Sec. 3, lots 1 to 4, inclusive, S½N½ and S½;
Sec. 4, lots 1 to 4, inclusive, S½N½ and S½;
Secs. 9 and 10;
Sec. 11, W½;
Sec. 14, NW¼;
Sec. 15, N½.

The areas described aggregate 3,684.39 acres.

2. The withdrawal made by this order does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4779; Filed, Apr. 28, 1967; 8:47 a.m.]

[Public Land Order 4217]

[Wyoming 2796]

WYOMING

Withdrawal for Reclamation Project

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

Subject to valid existing rights, the following described public lands, which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved for the Pathfinder Reservoir of the North Platte Project:

SIXTH PRINCIPAL MERIDIAN

T. 29 N., R. 84 W.,
Sec. 26, NE¼SW¼, N½SE¼.

The area described contains 120 acres in Natrona County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4780; Filed, Apr. 28, 1967; 8:47 a.m.]

[Public Land Order 4218]

[Oregon 6]

WASHINGTON

Withdrawal for National Forest Recreation Area

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

GIFFORD PINCHOT NATIONAL FOREST

WILLAMETTE MERIDIAN

Spirit Lake Recreation Area Addition

T. 9 N., R. 5 E.,
Sec. 3, SE¼SE¼;
Sec. 11, lots 1 to 7, inclusive, W½NE¼.

The areas described aggregate 354.80 acres in Skamania County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4781; Filed, Apr. 28, 1967; 8:47 a.m.]

[Public Land Order 4219]

[Anchorage AA-124]

ALASKA

Revocation of Executive Order No. 4294 of August 25, 1925

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Executive Order No. 4294 of August 25, 1925, withdrawing lands in the Chugach National Forest at Cordova, described by metes and bounds, for a boathouse site, is hereby revoked:

The tract contains approximately 0.23 acre of nonpublic land.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4782; Filed, Apr. 28, 1967; 8:47 a.m.]

[Public Land Order 4220]

[Riverside 07193]

CALIFORNIA

Withdrawal for National Forest Recreation Areas

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

CLEVELAND NATIONAL FOREST

SAN BERNARDINO MERIDIAN

State Highway No. 74 Roadside Zone

A strip of land 300 feet wide on each side of the centerline of California Highway No. 74 through the following described legal subdivisions:

T. 6 S., R. 5 W.,
Sec. 31, lots 2, 3 and NE¼SW¼.

Upper San Juan and Bear Breek Campgrounds, Reposa Creek Small Water Development

T. 6 S., R. 5 W.,
Sec. 31, SW¼NE¼NE¼, S½SW¼NE¼, and W½SE¼NE¼;
Sec. 32, NE¼NW¼, E½NW¼NW¼, and N½SE¼NW¼.

The areas described aggregate approximately 140.4 acres.

The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

APRIL 24, 1967.

[F.R. Doc. 67-4783; Filed, Apr. 28, 1967; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1099]

[Docket No. AO183-A19]

MILK IN PADUCAH, KY., MARKETING AREA

Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Paducah, Ky., marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, by the second day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at Paducah, Ky., on February 16, 1967, pursuant to notice thereof which was issued February 1, 1967 (32 F.R. 2448), and February 8, 1967 (32 F.R. 2820).

The material issues on the record of the hearing relate to:

1. The price for Class I milk.
2. Seasonal production incentive plan.

This recommended decision deals with only issue No. 2, the seasonal production incentive plan. Issue No. 1, Class I prices, will be dealt with in a further decision on this record.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

2. Seasonal production incentive plan. The "Louisville" plan of seasonal adjustment should be modified to set aside fifty cents (instead of twenty cents) per hundredweight of producer milk during each of the months of April through July, for payment to producers during the following months of October through January.

A Louisville plan for seasonal adjustment of payments to producers was adopted in this order effective May 1, 1966. The purpose of the plan is to provide incentive for producers to achieve more even production through the year.

The order provides for retaining in the producer-settlement fund 20 cents for each hundredweight of producer milk delivered during the months of April through July. This money is distributed to producers during the following months of October through January. During each of the months of October, November, and December 1966, and January 1967, the amount paid back under the plan was approximately 21 cents per hundredweight. This amount was included in the uniform price for these months.

The proponent cooperative association claimed that the various amendments which in recent years have reduced the seasonality of Class I prices have increased the need for other means of providing seasonal changes in producer returns. The association favored a seasonal range in producer prices of at least $1 per hundredweight between spring take-out months and fall pay-back months.

For this purpose the association requested that at least 40 cents per hundredweight be retained in the months of April through July for payment in the following October–January period. The association said that such a rate of take-out would provide a satisfactory incentive for evening production if applied in conjunction with the seasonal changes in Class I prices which have been effective in the order. The association requested, however, that if seasonal changes in Class I differentials were removed as a result of the hearing held in Kansas City January 26 and February 13 (pursuant to notices issued on January 16 and February 3, 1967, 32 F.R. 613 and 32 F.R. 2573) the take-out in April through July should be 50 cents per hundredweight.

Official notice is taken of a decision issued April 25, 1967, based on regional hearings held during the period of April 11–15, in which it was decided that a single Class I differential should apply in each of the markets which now have seasonally varying differentials. The effect upon the Paducah order is through its Class I price provision which establishes the Paducah Class I price at 15 cents over the St. Louis Class I price. Under these circumstances the cooperative association desired that the 50-cent rate of take-out apply.

The problem that the Louisville plan is intended to correct is the seasonal changes in production which aggravate the problem of handling reserve milk in some periods and the problem of providing an adequate supply in other periods. Spring milk production per farm tends to be higher than fall production. Production per farm in the spring-summer months (April–July) in 1961 was 132 percent of the subsequent fall-winter months (October–January). This relationship of spring to fall production has steadily narrowed so that in 1966 production in April–July was 103 percent of subsequent October–January production.[1]

Part of this narrowing of difference between spring and subsequent fall production reflects the long-term upward trend in milk production per farm for this market. Production per farm averaged 840 pounds daily in 1966 compared to 556 pounds daily in 1961.

On the other hand, spring production per farm in this market tends to be substantially higher than in the prior fall months, again reflecting the upward trend in production. Thus, the April–July production in 1966 was about 115 percent of the prior October–January level.

The association believes that further inducement for leveling production is needed. Within the context of a continuation of the upward trend of production per farm, the leveling of production could be attained if more of the annual increase occurred in fall and winter months rather than in spring months. The plan proposed by the association appears appropriately designed for this purpose.

The take out-pay back plan of distributing returns to producers does not affect handlers' costs or change the total amount of money received by producers for a year's milk production. The plan does change the time of the year at which producers receive certain portions of the money for their milk. In these circumstances, where producers desire that their money be paid to them in this fashion, it would be most likely that producers would respond in accord with the purpose of attaining relatively even production. Further, since it is well understood among producers that the total amount of money they are paid for their milk is unchanged, the plan would be expected to affect only seasonal production and not the average level of production of milk for the entire year.

Since practically all producers supplying this market are members of a cooperative association which is the proponent of the change in the seasonal pricing plan, it may be expected that the membership of association will be completely informed as to the operation of the plan. It is concluded that the 50-

[1] Official notice is taken of data published by the market administrator from the period 1961 through 1963.

cent rate of take-out proposed by the association is appropriate under the circumstances and is adopted.

It is desirable that the change in rate of take-out be made effective as soon as possible.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended marketing agreement and order amending the order. The following order amending the order as amended regulating the handling of milk in the Paducah, Ky., marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

1. In § 1099.71, paragraph (h) is revised to read as follows:

§ 1099.71 Computation of the uniform price.

* * * * *

(h) For each of the months of April, May, June, and July, subtract an amount equal to 50 cents per hundredweight on the total amount of producer milk in these computations, which amount is to be retained in the producer-settlement and disbursed according to the provision of paragraph (i) of this section;

* * * * *

Signed at Washington, D.C., on April 27, 1967.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 67-4868; Filed, Apr. 28, 1967; 8:50 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Parts 21, 37, 43, 121, 127, 133, 135, 137, 141, 145, 147, 149, 187]

[Docket No. 8114; Notice 67-17]

FEES FOR CERTAIN FAA ACTIVITIES

Notice of Proposed Rule Making

Correction

In F.R. Doc. 67-4415, published at page 6318 in the FEDERAL REGISTER of Friday, April 21, 1967, the following corrections should be made in the last column of "C-1 Schedule of Application Fees":

1. The 15th entry, now reading "30", should read "35".

2. Immediately preceding such corrected entry, a figure was inadvertently omitted; the omitted entry should read "4".

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. I-1292; Classification No. 11-01-1-67]

IDAHO

Notice of Proposed Classification of Public Lands for Multiple Use Management

APRIL 24, 1967.

1. Pursuant to the Act of September 19, 1964 (78 Stat. 986; 43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2410 and 2411, it is proposed to classify for multiple-use management all of the public lands in the area described below, together with any lands therein that may become public lands in the future. Publication of this notice has the effect (a) of segregating all the public land in the described area below from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171) and (b) of further segregating the lands described in paragraph 3 of this notice from the operation of the general mining laws (30 U.S.C. 21). Except as provided in (a) and (b) above the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. The public lands affected are located within the following described area and are shown on maps designated I-1-607(1), on file in the Boise District Office, Bureau of Land Management, and in the Land Office, Bureau of Land Management, Boise, Idaho.

BOISE MERIDIAN, IDAHO

T. 9 S., R. 3 W.,
Secs. 13 and 14;
Secs. 23 to 26, inclusive;
Secs. 35 and 36.
T. 10 S., R. 3 W.,
Secs. 1 to 4, inclusive;
Secs. 9 to 16, inclusive;
Secs. 21 to 28, inclusive;
Secs. 33 to 36, inclusive.
T. 11 S., R. 3 W.,
Secs. 1 to 4, inclusive;
Secs. 10 to 15, inclusive;
Secs. 22 to 26, inclusive;
Secs. 35 and 36.
T. 12 S., R. 3 W.,
Secs. 1 and 2;
Secs. 11 to 14, inclusive;
Secs. 24, 25, and 36.
T. 13 S., R. 3 W.,
Secs. 1, 12, 13, 24, and 25.
T. 9 S., R. 2 W.,
Secs. 13 to 36, inclusive.
Tps. 10, 11, 12, and 13 S., R. 2 W.
T. 14 S., R. 2 W.,
Secs. 1 to 5, inclusive;
Secs. 9 to 13, inclusive;
Secs. 24 and 25.
T. 6 S., R. 1 W.,
Sec. 1;
Secs. 11 to 15, inclusive;
Secs. 22 to 27, inclusive;
Secs. 34 to 36, inclusive.
T. 7 S., R. 1 W.,
Secs. 1 to 3, inclusive;
Secs. 9 to 16, inclusive;
Secs. 19 to 36, inclusive.
Tps. 8, 9, 10, 11, 12, 13, and 14 S., R. 1 W.
T. 15 S., R. 1 W.,
Secs. 1 to 13, inclusive;
Sec. 24.
T. 5 S., R. 1 E.,
Secs. 20 to 29, inclusive;
Secs. 31 to 36, inclusive.
Tps. 6, 7, 8, 9, 10, 11, 12, 13, and 14 S., R. 1 E.
T. 5 S., R. 2 E.,
Secs. 19 to 21, inclusive;
Secs. 28 to 33, inclusive.
T. 6 S., R. 2 E.,
Secs. 4 to 9, inclusive;
Secs. 14 to 36, inclusive.
T. 7 S., R. 2 E.,
Secs. 1 to 11, inclusive;
Sec. 13, S½;
Secs. 14 to 36, inclusive.
Tps. 8, 9, 10, 11, 12, 13, and 14 S., R. 2 E.
T. 6 S., R. 3 E.,
Secs. 19, 30, and 31.
T. 7 S., R. 3 E.,
Sec. 6, W½;
Secs. 13 to 17, inclusive;
Sec. 18, E½, SW¼;
Secs. 19 to 36, inclusive.
Tps. 8, 9, 10, 11, 12, 13, and 14 S., R. 3 E.
T. 7 S., R. 4 E.,
Secs. 17 to 20, inclusive;
Secs. 29 to 33, inclusive.
Tps. 8, 9, 10, 11, 12, 13, and 14 S., R. 4 E.
T. 15 S., R. 4 E.,
Secs. 1 to 3, inclusive;
Sec. 4, lots 15 and 16;
Sec. 9, lots 6, 7, and 8;
Secs. 10 to 15, inclusive;
Sec. 21, lots 5 and 7;
Secs. 22 to 27, inclusive;
Sec. 33, lots 6, 7, and 8;
Secs. 34 to 36, inclusive.
T. 16 S., R. 4 E.,
Secs. 1 to 3, inclusive;
Sec. 4, lots 5, 6, and 7;
Secs. 10 to 15, inclusive;
Secs. 22 to 27, inclusive.
T. 7 S., R. 5 E.,
Secs. 34 to 36, inclusive.
Tps. 8, 9, 10, 11, 12, 13, 14, 15, and 16 S., R. 5 E.
T. 7 S., R. 6 E.,
Secs. 31 to 35, inclusive.
Tps. 8, 9, 10, 11, 12, 13, 14, 15, and 16 S., R. 6 E.
T. 8 S., R. 7 E.,
Secs. 19, 30, 31, and 32.
T. 9 S., R. 7 E.,
Sec. 19;
Secs. 29 to 32, inclusive.
T. 10 S., R. 7 E.,
Secs. 4 to 9, inclusive;
Secs. 14 to 35, inclusive.
T. 11 S., R. 7 E.,
Secs. 2 to 11, inclusive;
Secs. 14 to 23, inclusive;
Secs. 26 to 34, inclusive.
T. 12 S., R. 7 E.,
Secs. 3 to 10, inclusive;
Secs. 15 to 22, inclusive;
Secs. 27 to 34, inclusive.
T. 13 S., R. 7 E.,
Secs. 3 to 9, inclusive;
Secs. 16 to 20, inclusive;
Secs. 30 and 31.
T. 14 S., R. 7 E.,
Secs. 6, 7, 18, and 19;
Secs. 29 to 32, inclusive.
T. 15 S., R. 7 E.,
Secs. 5 to 8, inclusive;
Secs. 17 to 20, inclusive;
Secs. 29 to 33, inclusive.
T. 16 S., R. 7 E.,
Secs. 4 to 9, inclusive;
Secs. 15 to 22, inclusive;
Secs. 27 to 34, inclusive.

The area described contains approximately 1,424,300 acres of public land.

3. As provided in paragraph 1 above, the following lands are further segregated from appropriation under the general mining laws:

BOISE MERIDIAN, IDAHO

MUD FLAT SITE

T. 9 S., R. 2 W.,
Sec. 35, W½NW¼.

CAMAS CREEK SITE

T. 10 S., R. 2 W.,
Sec. 24, lot 4;
Sec. 25, lots 1 and 2, S½NW¼NE¼, N½SW¼NE¼, S½NE¼NW¼, SE¼NW¼NW¼, SW¼NW¼, N½SE¼NW¼, SW¼SE¼NW¼.
T. 10 S., R. 1 W.,
Sec. 30, lot 1.

HOLE-IN-ROCK SITE

T. 8 S., R. 4 E.,
Sec. 26, W½SE¼NW¼, SW¼NW¼, N½NW¼SW¼, NW¼NE¼SW¼.

INDIAN BATHTUB SITE

T. 8 S., R. 6 E.,
Sec. 3, lot 3, SW¼, NW¼SE¼.

DEER WATER SITE

T. 8 S., R. 6 E.,
Sec. 29, SW¼SW¼SE¼, SE¼SE¼SW¼;
Sec. 30, NW¼NW¼NE¼, NE¼NE¼NW¼.

BRUNEAU CANYON OVERLOOK SITE

T. 8 S., R. 7 E.,
Sec. 31, E½NE¼;
Sec. 32, W½NW¼.

INDIAN HOT SPRINGS SITE

T. 12 S., R. 7 E.,
Sec. 32, E½E½SE¼, SW¼SE¼SE¼;
Sec. 33, NE¼NW¼, E½NW¼NW¼, SW¼NW¼NW¼, SW¼NW¼, NW¼SE¼NW¼.
T. 13 S., R. 7 E.,
Sec. 5, lots 1 and 2.

The total area of these sites is approximately 1,168 acres.

4. For a period of sixty (60) days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections concerning the proposed classification may present their views in writing to the Boise District Manager,

Bureau of Land Management, 230 Collins Road, Boise, Idaho 83702.

5. A public hearing on this proposed classification will be held at 10 a.m. on May 25, 1967, in the Owyhee County Courthouse, Murphy, Idaho.

JOE T. FALLINI,
State Director.

[F.R. Doc. 67-4800; Filed, Apr. 28, 1967; 8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

KANSAS LIVESTOCK ASSOCIATION

Inspection of Livestock; Notice of Termination of Authorization

On July 9, 1948, the Kansas Livestock Association, Topeka, Kans., pursuant to the provisions of section 317(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 217(a)), was authorized, with respect to livestock originating in the State of Kansas, to charge and collect, at those stockyards posted under the Packers and Stockyards Act at which the said Kansas Livestock Association may register as a market agency to perform such inspection, reasonable and nondiscriminatory fees for the inspection of brands, marks, and other identifying characteristics of livestock for the purpose of determining the ownership of such livestock. This authorization became effective August 5, 1948 (13 F.R. 3967). By letter dated December 16, 1966, the Kansas Livestock Association requested that such authorization be terminated. Notice is hereby given that such request is granted and the authorization is terminated effective upon publication hereof in the FEDERAL REGISTER.

Done this 25th day of April 1967.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 67-4786; Filed, Apr. 28, 1967; 8:48 a.m.]

STATE OF KANSAS

Authorization for Inspection of Livestock

The State of Kansas, and/or State Livestock Sanitary Commissioner and State Brand Commissioner, has, pursuant to the provisions of section 317 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 217), made written application to the Secretary of Agriculture for authorization to charge and collect at posted stockyards a reasonable and nondiscriminatory fee for the inspection of brands, marks, and other identifying characteristics of livestock originating in the State of Kansas for the purpose of determining the ownership of such livestock and the Secretary proposes to issue such an authorization to the Kansas Livestock Association in accordance with the provisions of the act referred to.

Therefore, notice is hereby given that any interested person who desires to do so may submit within 15 days after the publication of this notice any data, views, or argument in writing on the proposed rule to the Director, Packers and Stockyards Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.

Done at Washington, D.C., this 25th day of April 1967.

GLENN G. BIERMAN,
Acting Director,
Packers and Stockyards Division.

[F.R. Doc. 67-4810; Filed, Apr. 28, 1967; 8:50 a.m.]

Office of the Secretary

FARMERS HOME ADMINISTRATION

Assignment and Reservation of Functions

Pursuant to the authority contained in R.S. 161 (5 U.S.C. 22) and Reorganization Plan No. 2 of 1953 (5 U.S.C. 133x-15), sections 145 and 146 of the Secretary's orders dated December 3, 1964, November 3, 1965, February 25, 1966 (29 F.R. 16840, 30 F.R. 14049, 31 F.R. 3352), are amended to delete one function and to add additional functions and reservations, and are revised to read as follows:

SEC. 145. *Assignment of functions.* Subject to the reservations in section 146, there are hereby assigned and transferred to the Farmers Home Administration all of the functions, powers, duties, and assets under or with respect to:

(a) The Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1921), except those contained in section 342 of said Act (7 U.S.C. 1013a). These assigned functions, powers, duties, and assets pertain to programs authorized under said Act as well as to prior programs and authorities of the Farmers Home Administration and its predecessor agencies, the Farm Security Administration, the Emergency Crop and Feed Loan Offices of the Farm Credit Administration, the Resettlement Administration, and the Regional Agricultural Credit Corporation of Washington, D.C.

(b) Title V of the Housing Act of 1949 (42 U.S.C. 1471), except those pertaining to research.

(c) The Rural Rehabilitation Corporation Trust Liquidation Act (40 U.S.C. 440), and under the trust, liquidation, and other agreements entered into pursuant thereto.

(d) Section 8, and those with respect to repayment of the obligations under section 4 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1006a, 1004).

(e) Assisting in implementing the "outreach" functions of the Secretary of Agriculture by providing leadership in the field through (1) taking the initiative in identifying problems of rural communities which require the coordinated efforts of various departments and agencies for their effective solution, and (2) devising means by which all of the facilities of the Department of Agriculture field offices can be utilized in the task of assisting other Federal agencies in making their programs effective in rural areas (Sec. Memorandum No. 1610, Feb. 27, 1967).

(f) Rural Renewal Program activities consisting of making loans, making advances for technical assistance, coordination, direction, and supervision of rural renewal projects, and assistance in planning, developing and carrying out such projects in designated rural areas under section 32(e) of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1011 (e)).

(g) Resource Conservation and Development loan program to assist in carrying out resource conservation and development projects in rural areas under section 32(e) of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1011 (e)).

(h) Section 51(a) of the Alaska Omnibus Act (Note preceding 48 U.S.C. 21).

(i) Loan programs under Part A of Title III and the necessarily related functions in Title VI of the Economic Opportunity Act of 1964 (42 U.S.C. 2841-2854, 2942, 2946) delegated by the Director of the Office of Economic Opportunity to the Secretary of Agriculture (29 F.R. 14764).

(j) Loan programs in the Appalachian region under sections 203 and 204 of the Appalachian Regional Development Act of 1965 (40 U.S.C. Appendix 203, 204).

(k) Farmers Home Administration assets conveyed in trust under the Participation Sales Act of 1966 (12 U.S.C. 1717).

(l) The Federal Claims Collection Act of 1966 and joint regulations issued pursuant thereto by the Attorney General and the Comptroller General with respect to claims of the Farmers Home Administration (31 U.S.C. 951, 952; 4 CFR Ch. II).

(m) Servicing, collection, settlement, and liquidation of:

(1) Deferred land purchase obligations of individuals under the Wheeler-Case Act of August 11, 1939, as amended (16 U.S.C. 590y), and under the item, "Water Conservation and Utilization Projects" in the Department of the Interior Appropriation Act, 1940 (53 Stat. 719), as amended.

(2) Puerto Rican Hurricane Relief loans under the Act of July 11, 1956 (70 Stat. 525).

(3) Loans made in conformance with section 4 of the "Southeast Hurricane Disaster Relief Act of 1965." (79 Stat. 1301).

(n) Disposal of surplus property under the jurisdiction of the Farmers Home Administration which the Secretary of Agriculture is authorized to dispose of by the Administrator of the General Services Administration (40 U.S.C. 484, 486).

SEC. 146. *Reservations.* (a) Making and issuing notes to the Secretary of the Treasury for the purposes of the Agricultural Credit Insurance Fund as authorized by the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1929) and the Rural Housing Insurance Fund as authorized by Title V

of the Housing Act of 1949 (42 U.S.C. 1487) and requesting advances of funds evidenced by said notes, where such notes or requests for advances thereunder would cause the aggregate outstanding unpaid principal balances thereon to exceed $400 million for the particular fund.

(b) With respect to the functions assigned in section 145(i):

(1) Prescribing rules and regulations jointly with the Director of the Office of Economic Opportunity.

(2) Requesting the Director of the Office of Economic Opportunity to make advances to the revolving fund established pursuant to section 606 of the Economic Opportunity Act of 1964.

(3) Requesting reimbursements from the Director of the Office of Economic Opportunity for the performance of such assigned functions.

(c) Execution of Conveyance in Trust instruments under the Participation Sales Act of 1966 (12 U.S.C. 1717).

(d) Designation of areas in which Emergency loans may be made (7 U.S.C. 1961).

(e) Designation of areas in which Rural Renewal loan and technical assistance programs may be carried on (7 U.S.C. 1011(e)).

Done at Washington, D.C., this 26th day of April 1967.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 67-4788; Filed, Apr. 28, 1967; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

MEYER LINE, INC., AND AMERICAN EXPORT ISBRANDTSEN LINES, INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763; 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. James N. Jacobi, Kurrus and Jacobi, 2000 K Street NW., Washington, D.C. 20006.

Agreement 9627, between Meyer Line, Inc., and American Export Isbrandtsen Lines, Inc., provides for the interchange of cargo containers and/or related equipment in the trades between ports in Europe and United States North Atlantic ports in accordance with the terms and conditions set forth therein.

Dated: April 26, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-4813; Filed, Apr. 28, 1967; 8:50 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN MALAYSIA

Entry or Withdrawal From Warehouse for Consumption

APRIL 26, 1967.

On February 23, 1967, following discussions with the Government of Malaysia, the U.S. Government requested the Government of Malaysia to restrain for the 12-month period beginning on February 23, 1967, its exports to the United States of cotton textile products in Category 46, produced or manufactured in Malaysia. In furtherance of the objectives of, and under the terms of the Long-Term Arrangements Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, the U.S. Government is establishing a restraint in accordance with that request. This restraint does not apply to cotton textile products produced or manufactured in Malaysia and exported to the United States prior to February 23, 1967.

There is published below a letter of April 25, 1967, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amount of cotton textile products in Category 46, produced or manufactured in Malaysia which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning on February 23, 1967, be limited to 18,000 dozen.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

THE SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

WASHINGTON, D.C. 20230,
April 25, 1967.

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangements Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended, by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible and for the 12-month period beginning on February 23, 1967, and extending through February 22, 1968, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 46, produced or manufactured in Malaysia, in excess of a 12-month level of restraint of 18,000 dozen.[1]

In carrying out this directive, entries of cotton textile products in Category 46, produced or manufactured in Malaysia and which have been exported to the United States prior to February 23, 1967, shall not be subject to this directive.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on July 7, 1966 (31 F.R. 9310).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Malaysia and with respect to imports of cotton textiles and cotton textile products from Malaysia have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

A. B. TROWBRIDGE,
Acting Secretary of Commerce, Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 67-4757; Filed, Apr. 28, 1967; 8:45 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T.D. 67-103]

[Customs Delegation Order No. 30]

REGIONAL COMMISSIONERS OF CUSTOMS

Delegation of Authority; Correction

APRIL 27, 1967.

In the matter of delegation to regional commissioners of customs of authority to settle certain claims arising under the Military Personnel and Civilian Employees' Claims Act of 1964 (31 U.S.C. 240-242).

In the first paragraph of the order "Treasury Department Order No. 177-22 (20 F.R. 8755)" is corrected to read "Treasury Department Order No. 177-22, Revision 1 (30 F.R. 13548)."

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 67-4898; Filed, Apr. 28, 1967; 11:09 a.m.]

[1] This level has not been adjusted to reflect entries made on or after Feb. 23, 1967.

FEDERAL POWER COMMISSION

[Docket Nos. G-4713, etc.]

ROBERTS AND MURPHY, INC., ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

APRIL 18, 1967.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 8, 1967.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however*, That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field, and Location	Price per Mcf	Pressure base
G-4713 E 3-29-67	Roberts and Murphy, Inc. (successor to J. I. Roberts and C. H. Murphy, d.b.a. Roberts and Murphy), c/o H. Y. Rowe, attorney, 200 Jefferson Ave., El Dorado, Ark. 71730.	Arkansas Louisiana Gas Co., Waskom Field, Harrison County, Tex.	[1] 12.2398	14.65
G-4714 E 3-29-67	do	United Gas Pipe Line Co., Bethany Field, Panola County, Tex.	[2] 11.86	14.65
G-7241 D 1-9-67 [3]	Aztec Oil & Gas Co., 2000 First National Bank Bldg., Dallas, Tex. 75202.	Northern Natural Gas Co., Eumont Gas Pool, Lea County, N. Mex.	(5)	
G-7500 C 3-6-67 [4]	Pan American Petroleum Corp., Post Office Box 591, Tulsa, Okla. 74102.	El Paso Natural Gas Co., Spraberry Field, Reagan County, Tex.	[6] 17.2295	14.65
G-11380 E 2-27-67 [4]	Western Oil Fields, Inc. (Operator), et al., 1220 Denver Club Bldg., Denver, Colo. 80202.	Cities Service Gas Co., North Whelan Field, Barber County, Kans.	[7] 14.0	14.65
G-12848 E 3-29-67	Roberts and Murphy, Inc. (successor to J. I. Roberts and C. H. Murphy, d.b.a. Roberts and Murphy).	Northern Natural Gas Co., Fincham Gas Field, Meade County, Kans.	[8] 15.0	14.65
G-13633 C 3-31-67	Union Producing Co., Post Office Box 1407, Shreveport, La. 71102.	United Gas Pipe Line Co., Sligo Field, Bossier Parish, La.	12.5252	15.02
C160-175 C 4-5-67	Pubco Petroleum Corp. (Operator), et al., Post Office Box 869, Albuquerque, N. Mex. 87103.	El Paso Natural Gas Co., Basin Dakota Field, San Juan and Rio Arriba Counties, N. Mex	13.0	15.025
C161-273 E 2-27-67 [9]	Western Oil Fields, Inc. (Operator), et al.	Transwestern Pipeline Co., Parsell Field, Roberts County, Tex.	[9] 19.5	14.65
C161-901 E 3-28-67	Freda M. Davisson (successor to A. T. Carr Drilling Co.), Vadis, W. Va. 26445.	Consolidated Gas Supply Corp., Freemans Creek District, Lewis County, W. Va.	25.0	15.325
C161-1806 E 2-27-67	Rocanville Corp. (Operator) et al. (successor to W. H. Hudson (Operator), et al.), 1126 Mercantile Securities Bldg., Dallas, Tex. 75201.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	[10] 14.0	15.02
C163-20 D 4-3-67 [11]	Humble Oil & Refining Co. (Operator) et al., Post Office Box 2180, Houston, Tex. 77001.	Arkansas Louisiana Gas Co., Arkoma Area, Pittsburg County, Okla.	Assigned	
C163-20 D 4-3-67 [11]	do	do	Assigned	
C163-547 A 10-24-62	Au-Son Corp. et al., 3814 North Santa Fe, Oklahoma City, Okla. 73118.	Cities Service Gas Co., acreage in Woods County, Okla.	13.0	14.65
C163-1211 1-16-67 [12] [13]	Joseph S. Gruss (Operator) et al. (successor to Chase Petroleum Co. et al.), c/o Raymond A. Lynch, attorney, Lynch, Chappell and Allday, 201 Wall Bldg., Midland, Tex. 79701.	El Paso Natural Gas Co., Spraberry Trend Area Field, Upton County, Tex.	16.0	14.65
C164-820 [14] 1-16-67 [13]	Joseph S. Gruss (Operator) et al. (successor to Chase Petroleum Co. (Operator) et al.).	do	16.0	14.65
C165-116 D 2-27-67 [15]	Sun Oil Co. (Southwest Division), 1608 Walnut St., Philadelphia, Pa. 19103.	El Paso Natural Gas Co., East Panhandle Field, Wheeler County, Tex.	(16)	
C165-333 C 4-5-67	Lubell Oil Co., 1033 Mayo Bldg., Tulsa, Okla. 74103.	Arkansas Louisiana Gas Co., Arpelar Field (South Pine Hollow) Pittsburg County, Okla.	15.0	14.65
C165-750 C 3-10-67	Midwest Oil Corp., 1700 Broadway, Denver, Colo. 80202.	Arkansas Louisiana Gas Co., Red Oak Field, Le Flore County, Okla.	15.0	14.65
C165-753 1-16-67 [13]	Joseph S. Gruss (Operator) et al. (successor to Chase Petroleum Co. et al.).	El Paso Natural Gas Co., Spraberry Trend Area Field, Upton County, Tex.	16.0	14.65
C165-941 1-16-67 [13]	Joseph S. Gruss (Operator), agent (successor to Chase Petroleum Co. (Operator), agent for John M. Clark et al.)	do	10.0	14.65
C165-948 1-16-67 [13]	do	do	10.0	14.65
C165-1217 C 2-27-67	Kirby Royalties, Inc. (Operator), et al., Post Office Box 1745, Houston, Tex. 77001.	Mountain Fuel Supply Co., West Side Canal Field, Carbon County, Wyo.	15.0	15.025
C165-1326 C 4-3-67	Jas. F. Smith, Post Office Box 19005, Avondell Station, Amarillo, Tex. 79106.	Cities Service Gas Co., Acreage in Woods County, Okla.	14.0	14.65
C166-481 C 4-5-67	The Superior Oil Co., Post Office Box 1521, Houston, Tex. 77001.	Arkansas Louisiana Gas Co., Acreage in Le Flore and Sequoyah Counties, Okla.	15.0	14.65
C167-554 E 3-27-67	Amos Newsom Coal Co., Inc. (successor to United Mineral Development Co.), Route No. 2, Pikeville, Ky. 41501.	United Fuel Gas Co., acreage in Pike County, Ky.	16.0	15.325
C167-803 12-20-66 [18]	Gulf Oil Corp. (Operator) et al., Post Office Box 1589, Tulsa, Okla. 74102.	El Paso Natural Gas Co., South Penrose Skelly Unit, Langlie-Mattix Field, Lea County, N. Mex.	[17] 16.8882	14.65
C167-964 A 2-2-67 3-13-67 [19]	Victor E. Doman, agent, Rural Delivery No. 3, Box 66, Cameron, W. Va. 26033.	The Manufacturers Light & Heat Co., acreage in Greene County, Pa.	19.23	15.025
C167-994 A 2-3-67	Sun Oil Co.[13] (Southwest Division)	Transwestern Pipeline Co., Hamon-Ellenburger Field, Reeves County, Tex.	16.5	14.65
C167-1160 A 2-27-67	Monsanto Co.,[20] 1300 Main St., Houston, Tex. 77002.	Transwestern Pipeline Co., Worsham Field, Reeves County, Tex.	[21] 16.5 [22] 14.5	14.65
C167-1249 B 3-13-67	Estate of L. C. Hoffman, Post Office Box 1368, Longview, Tex. 75603.	Southern Natural Gas Co., Logansport Field, De Soto Parish La.	Depleted	

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and Location	Price per Mcf	Pressure base
CI67-1309 (G-13633) F 3-14-67	Crystal Oil & Land Co. (Operator) et al. (successor to Union Producing Co.), 600 Beck Bldg., Shreveport, La. 71101.	United Gas Pipe Line Co., Greenwood-Waskom Field, Caddo Parish, La.	[2] 11.25	15.025
CI67-1310 A 3-20-67	Meigs Developing Co., c/o Daniel Rubin, agent, Post Office Box 6357, Charleston, W. Va. 25302.	The Ohio Fuel Gas Co., Lebanon District, Meigs County, Ohio.	20.0	15.025
CI67-1314 B 3-23-67	Melvin C. Garlow and Mary T. Garlow, 6212 Arkendale Rd., Alexandria, Va. 22307.	Home Gas Co., Cass District, Monongalia County, W. Va.	(3)	
CI67-1315 A 3-14-67	S. W. Reed, Rural Delivery No. 4, Box 312, Burgettstown, Pa. 15021.	The Manufacturers Light & Heat Co., Hanover Township, Washington County, Pa.	21.5	15.325
CI67-1316 A 3-14-67	do	do	21.5	15.325
CI67-1319 A 3-17-67	Jack R. Lingenfelter, Rural Delivery No. 3, New Bethlehem, Pa. 16242.	The Manufacturers Light & Heat Co., Mayport Field, Redbank Township, Armstrong County, Pa.	20.0	15.325
CI67-1320 A 3-20-67	Herbert L. Kifer and Lewis J. Varner, c/o Herbert L. Kifer, agent, 46 Campbell Ave., Clarion, Pa. 16214.	The Manufacturers Light & Heat Co., New Bethlehem Field, Clarion County, Pa.	25.0	15.325
CI67-1325 (G-20055) F 3-23-67	Humble Oil & Refining Co. (successor to J. H. Vandenburk (Operator) et al.), Post Office Box 2180, Houston, Tex. 77001.	El Paso Natural Gas Co., Spraberry Field, Upton County, Tex.	[2] 17.2295	14.65
CI67-1329 B 3-27-67	Houston Natural Gas Production Co. (Operator) et al., Post Office Box 1188, Houston, Tex. 77001.	Lone Star Gathering Co., Southeast Yorktown Field, De Witt County, Tex.	(3)	
CI67-1333 B 3-27-67	Heep Oil Corp. (Operator) et al., c/o W. H. Drushel, Jr., Vinson, Elkins, Weems & Searls, 2100 First City National Bank Bldg., Houston, Tex. 77002.	Texas Eastern Transmission Corp., May Field, Kleberg County, Tex.	(3)	
CI67-1339 (CI61-348) 3-28-67 [3]	Pan American Petroleum Corp., Post Office Box 591, Tulsa, Okla. 74102.	Southern Natural Gas Co., Franklin Field, St. Mary Parish, La.	[2] 20.625	15.025
CI67-1355 A 3-29-67	Crystal Oil & Land Co. (Operator), et al., c/o William Greene, attorney, 506 Beck Bldg., Shreveport, La. 71101.	United Gas Pipe Line Co., Greenwood-Waskom Area, Caddo Parish, La.	[2] 13.25	15.025
CI67-1356 A 3-23-67	Stanoco Oil Co., Inc., 2117 First National Bank Bldg., Denver, Colo. 80202.	Kansas-Nebraska Natural Gas Co., Inc., acreage in Logan County, Colo.	[2] 10.0	14.4
CI67-1357 A 3-31-67	Tidewater Oil Co., Post Office Box 1404, Houston, Tex. 77001.	Texas Gas Transmission Corp., North Bosco Field, Acadia Parish, La.	16.75	15.025
CI67-1359 B 4-3-67	Hamilton Brothers, Ltd., 1517 Denver Club Bldg., Denver, Colo. 80202.	Transwestern Pipeline Co., North Hansford Tonkawa Field, Hansford County, Tex.	Depleted	
CI67-1360 A 4-3-67	The Superior Oil Co.	United Gas Pipe Line Co., Kent Bayou Field, Terrebonne Parish, La.	22.25	15.025
CI67-1362 A 4-3-67	Southwestern Oil & Refining Co. (Operator), et al., Post Office Drawer 809, Corpus Christi, Tex. 78403.	Texas Eastern Transmission Corp., State Park Field, Hidalgo County, Tex.	16.0	14.65
CI67-1363 A 4-3-67	The Dow Chemical Co., Post Office Box 22468, Houston, Tex. 77027.	Michigan Wisconsin Pipe Line Co., Southwest Lake Arthur Field, Cameron Parish, La.	20.625	15.025
CI67-1364 A 3-31-67	Exchange Oil & Gas Co., et al., 1200 Oil & Gas Bldg., New Orleans, La. 70112.	United Fuel Gas Co., Twin Island Field, Cameron Parish, La.	18.375	15.025
CI67-1365 A 4-3-67	El Paso Products Co., Post Office Box 3986, Odessa, Tex. 79760.	Northern Natural Gas Co., Chaney South Field and Northeast Catesby Field, Ellis County, Okla.	17.0	14.65
CI67-1367 A 4-3-67	Pioneer Petroleum, Inc., et al., Empire Bank Bldg., Clarksburg, W. Va. 26301.	Consolidated Gas Supply Corp., Freeman's Creek District, Lewis County, W. Va.	25.0	15.325
CI67-1368 (CI62-276) F 3-27-67	Shenandoah Oil Corp. (successor to Skelly Oil Co.), 406 Mutual Savings Bldg., Fort Worth, Tex. 76102.	Baca Gas Gathering System, Inc., Midway Field, Baca County, Colo.	22.0	14.65
CI67-1369 A 3-31-67	Gulf Oil Corp.	United Gas Pipe Line Co., West Cameron Block 45 Field, Gulf of Mexico, offshore Cameron Parish, La.	16.0	15.05
CI67-1370 (CI64-1405) F 4-3-67	Southland Royalty Co. (successor to Steve Gose (Operator) et al.), 1603 First National Bldg., Fort Worth, Tex. 76102.	Arkansas Louisiana Gas Co., acreage in Haskell, Latimer, Le Flore, and Pittsburg Counties, Okla.	15.0	14.65
CI67-1371 (CI62-475) F 4-3-67	Humble Oil & Refining Co. (successor to Fitzpatrick Drilling Co. et al.).	United Gas Pipe Line Co., Karen Beauchamp Field, Goliad County, Tex.	13.1064	14.65
CI67-1372 A 4-4-67	W. H. Mosser et al., 101 East Main Street, Harrisville, W. Va. 26362.	Consolidated Gas Supply Corp., Glenville District, Gilmer County, W. Va.	25.0	15.325
CI67-1373 A 4-4-67	An-Son Corp. et al.	Northern Natural Gas Co., Mocane-Laverne Field, Beaver County, Okla.	[4] 17.0	14.65
CI67-1374 A 4-4-67	Will-Ray Oil & Gas Co. et al., c/o Lou Fabian, agent, Greenbrier Bldg., 13th and Quincy Sts., Parkersburg, W. Va. 26102.	Consolidated Gas Supply Corp., Grant District, Ritchie County, W. Va.	25.0	15.325
CI67-1375 A 3-31-67	Amerada Petroleum Corp., Post Office Box 2040, Tulsa, Okla. 74102.	Lone Star Gas Co., North Henderson Field, Rusk County, Tex.	[2] 16.56 [2] 16.455	14.65
CI67-1376 (CI66-1318) F 4-3-67	J. M. Huber Corp. (successor to Tidewater Oil Co. (Operator) et al.), 2401 East Second Ave., Denver, Colo. 80206.	Northern Natural Gas Co., Southeast Gage Field, Ellis County, Okla.	[5] [2] 17.085	14.65
CI67-1377 A 3-29-67	Devonian Gas & Oil Co., 705 Benedum-Trees Bldg., Pittsburgh, Pa. 15222.	Consolidated Gas Supply Corp., Union Township, Clearfield County, Pa.	27.5	15.325
CI67-1378 A 3-24-67	do	Consolidated Gas Supply Corp., Huston Township, Clearfield County, and Jay Township, Elk County, Pa.	27.5	15.325
CI67-1379 A 3-24-67	do	Consolidated Gas Supply Corp., Huston Township, Clearfield County, Pa.	27.5	15.325
CI67-1380 B 3-29-67	E. G. Bamharger Lease	The Manufacturers Light & Heat Co., Amwell Township, Washington County, Pa.	Depleted	
CI67-1381 B 4-5-67	Edwin M. Jones Oil Co.	Texas Eastern Transmission Corp., Dunn Field, Live Oak County, Tex.	Depleted	
CI67-1384 B 3-28-67	Kentucky Ohio Gas Co., 2560 Hoods Creek Pike, Ashland, Ky. 41101.	United Fuel Gas Co., Acreage in Boyd County, Ky.	(3)	
CI67-1385 A 3-29-67	D. A. Null et al., Hundred, W. Va. 26575.	Carnegie Natural Gas Co., Acreage in Marion County, W. Va.	20.0	15.325
CI67-1388 B 4-5-67	Forest Oil Corp., 1300 National Bank of Commerce Bldg., San Antonio, Tex. 78205.	Transcontinental Gas Pipe Line Corp., Mosquito Bay Area, Terrebonne Parish, La.	Depleted	
CI67-1389 A 4-5-67	W. C. Wilson Oil & Gas Co. et al., c/o W. C. Wilson, agent, 819 Campbell Dr., Belpre, Ohio 45714.	Consolidated Gas Supply Corp., Warren District, Upshur County, W. Va.	25.0	15.325
CI67-1390 A 4-6-67	Lock 3 Oil, Coal & Dock Co. et al., 615 Porter Bldg., Pittsburgh, Pa. 15219.	Consolidated Gas Supply Corp., Union District, Upshur County, W. Va.	25.0	15.325
CI67-1391 A 4-6-67	Lou Fabian Oil & Gas, Greenbrier Bldg., 13th and Quincy Sts., Parkersburg, W. Va. 26102.	Consolidated Gas Supply Corp., Murphy District, Ritchie County, W. Va.	25.0	15.325
CI67-1392 (CI67-184) F 2-6-67	Payne, Inc. (successor to Big Chief Drilling Co), Post Office Box 14837, Oklahoma City, Okla. 73114.	Oklahoma Natural Gas Gathering Corp.,[6] Ringwood Field, Major County, Okla.	[2] 12.0	14.65

See footnotes at end of table.

[1] Subject to deduction for compression (up to 1.5 cents per Mcf). Price also reduced 8/10¢ per Mcf if taken into Buyer's low pressure line.
[2] Subject to deduction for compression (up to 1.5 cents per Mcf).
[3] Renegotiated contract—deletes 2 wells reclassified as oil wells (Burk No. 2 and Maxwell State No. 1 wells) and provides for a decreased rate.
[4] Adds acreage acquired from Rodman and Late, Docket No. G-14752, FPC GRS No. 1.
[5] Predecessor's rate effective subject to refund in Docket No. G-19952.
[6] Operator has acquired co-owners' interest previously covered under the certificate and rate schedule in said docket.
[7] Rate in effect subject to refund in Docket No. RI65-465.
[8] Subject to upward and downward B.t.u. adjustment.

[8] Rate in effect subject to refund in Docket No. RI66-54.
[9] Includes 1.0 cent minimum for liquids; Rate effective subject to refund in Docket No. RI64-605.
[10] Deletes acreage assigned to Apache Corp.
[11] Deletes acreage assigned to Sunray DX Oil Co.
[12] Pending—no permanent certificate issued.
[13] Amendment to the certificate filed by Gruss to succeed Chase Petroleum Co. as Operator. No transfer or change of interest is involved.
[14] Deletes the C. T. Palmer Lease covered by Supp. No. 1 to FPC GRS No. 175 due to economic infeasibility to construct facilities. (Application filed as a notice of withdrawal of the amendment filed Oct. 14, 1966, covering additional acreage; however, action had already been taken on the amendment by order issued Dec. 6, 1966 in Docket Nos. G-13279 et al., therefore, said notice of withdrawal will be construed as an amendment to delete subject acreage.)
[15] Applicant is filing on behalf of itself and othr co-owners to cover its interest in the Greenwood Well No. 5. (Previously all interest in the Greenwood Well No. 5 was held by Humble Oil & Refining Co. under its FPC GRS No. 31, Docket No. G-3113.)
[16] Rate in effect subject to refund in Docket No. RI65-25.
[17] Filing completed.
[18] By letter filed Mar. 29, 1967, Applicant agreed to accept permanent certificate containing conditions similar to those imposed by Opinion No. 468, as modified by Opinion No. 468-A.
[19] By letter filed Mar. 23, 1967, Applicant agreed to accept permanent certificate containing conditions similar to those imposed by Opinion No. 468, as modified by Opinion No. 468-A.
[20] For gas-well gas.
[21] For casinghead gas.
[22] Includes 1.5 cents per Mcf tax reimbursement.
[23] Source of gas depleted.
[24] Rate in effect subject to refund in Docket No. RI61-467.
[25] Gas will no longer be transported and/or sold in interstate commerce.
[26] The properties covered by subject contract have been sold or have been certificated pursuant to other applications.
[27] Applicant seeks certificate to sell and deliver gas from its own interest which is presently covered under its Operator's (The California Co., a Division of Chevron Oil Co.) certificate in Docket No. CI61-348.
[28] Settlement rate as approved by the Commission order issued in Docket Nos. G-13221 et al.
[29] Includes 1.50 cents per Mcf tax reimbursement.
[30] Purchaser to retain 7.0 cents per Mcf until its total investment in gathering facilities installed to take delivery of low pressure gas has been recovered.
[31] Production from Laird Unit. Includes 0.56 cent per Mcf tax reimbursement.
[32] Production from Busby Unit. Includes 0.455 cent tax reimbursement on 13.0 cents per Mcf, net price to Amerada after compression charge of 3.0 cents per Mcf by Operator.
[33] Includes 0.085 cent upward B.t.u. adjustment.
[34] National Fuels Corp. purchases liquids extracted from Applicant's gas at the Ringwood Gasoline Plant.
[35] Rate in effect subject to refund in Docket No. RI67-135.

[F.R. Doc. 67-4624; Filed, Apr. 28, 1967; 8:45 a.m.]

[Docket Nos. G-4831 etc.]

PAN AMERICAN PETROLEUM CORP. ET AL.

Findings and Orders

APRIL 19, 1967.

Findings and orders after statutory hearing issuing certificates of public convenience and necessity, canceling docket number, amending certificates, permitting and approving abandonment of service, terminating certificates, terminating rate proceeding, making successor co-respondent, redesignating proceeding, accepting agreement and undertaking for filing and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC gas rate schedules and propose to initiate or abandon, add or delete natural gas service in interstate commerce as indicated by the tabulation herein. All sales certificated herein are at rates either equal to or below the ceiling prices established by the Commission's statement of general policy No. 61-1, as amended, or involve sales for which permanent certificates have been previously issued.

J. Lee Youngblood (Operator) et al., Applicant in Docket No. CI63-826, proposes to continue the sale of natural gas heretofore authorized to be made in said docket pursuant to L. S. Youngblood (Operator) et al., FPC Gas Rate Schedule No. 2. Said rate schedule is being redesignated as that of Applicant. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. RI65-570. Applicant has filed a motion to be made co-respondent in said proceeding, together with an agreement and undertaking to assure the refund of any amounts collected by him in excess of the amount determined to be just and reasonable in said proceeding. Therefore, Applicant will be made co-respondent, the proceeding will be redesignated accordingly, and the agreement and undertaking will be accepted for filing.

After due notice, no petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

At a hearing held on April 12, 1967, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments, and exhibits thereto, submitted in support of the respective authorizations sought herein, and upon consideration of the record.

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service under the respective authorizations granted hereinafter.

(2) The sales of natural gas hereinbefore described, as more fully described in the respective applications, amendments and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission, and such sales by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(4) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefore should be issued as hereinafter ordered and conditioned.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Docket No. CI67-1080 should be canceled and that the application filed therein should be processed as a petition to amend the certificate heretofore issued in Docket No. CI66-939.

(6) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued by the Commission in Docket Nos. G-4831, G-18142, G-19293, CI61-516, CI61-1711, CI63-826, CI65-333, CI66-939, CI66-988, CI67-90, and CI67-351 should be amended as hereinafter ordered and conditioned.

(7) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the sales heretofore authorized to be made pursuant to the certificate heretofore issued in Docket No. G-11743 should hereafter be made pursuant to the authorization granted in Docket No. G-4831 and that the former certificate should be terminated.

(8) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described in the respective applications and in the tabulation herein, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity heretofore issued to the respective Applicants relating to the abandonments hereinafter permitted and approved should be terminated.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the rate suspension proceeding pending in Docket No. RI64-721[1] should be terminated only with re-

[1] Consolidated in the proceeding on the order to show cause issued Aug. 5, 1965, in Docket No. AR61-1 et al., 34 FPC 424.

spect to Tidewater Oil Co.'s FPC Gas Rate Schedule No. 87.

(11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that J. Lee Youngblood (Operator) et al., should be co-respondent in the proceeding pending in Docket No. RI65-570, that said proceeding should be redesignated accordingly, and the agreement and undertaking submitted by J. Lee Youngblood (Operator) et al., should be accepted for filing.

(12) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the respective related rate schedules and supplements as designated in the tabulation herein should be accepted for filing as hereinafter ordered.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements, and exhibits in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceedings now pending or hereafter instituted by or against the respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the respective contracts particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on all applications filed after April 15, 1965, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d) of the Commission's statement of general policy No. 61-1, as amended, shall be filed prior to the applicable dates, as indicated by footnotes 11 and 14 in the attached tabulation.

(E) The initial price for the sale authorized in Docket No. CI67-983 is 15.0 cents per Mcf at 14.65 p.s.i.a., including tax reimbursement; however, in the event that the Commission amends its policy statement No. 61-1 by adjusting the boundary between the Panhandle area and the "Other Oklahoma" area so as to increase the initial wellhead price for new gas in the area involved herein, Applicant thereupon may substitute the new rate consistent with its contract reflecting the amount of such increase, and thereafter collect the new rate prospectively in lieu of the initial rate herein required.

(F) A certificate is issued herein in Docket No. CI67-1098, subject to the conditions set forth in paragraphs (C), (D), and (E) of the order accompanying Opinion No. 353 (27 FPC 449).

(G) Certificates are issued herein in Docket Nos. CI66-928, CI67-1067, CI67-1068, CI67-1070, and CI67-1107 authorizing the respective Applicants to continue the sales of natural gas which were initiated without prior Commission authorization.

(H) Certificates are issued herein in Docket Nos. CI67-94, CI67-1017, CI67-1063, CI67-1069, CI67-1078, CI67-1087, CI67-1153, and CI67-1176 authorizing the respective Applicants to continue the sales of natural gas being rendered on June 7, 1954.

(I) Applicant in Docket No. CI67-1017 shall file a billing statement reflecting the rate in effect on June 7, 1954.

(J) The acceptance for filing of the related rate schedules in Docket Nos. CI67-1078 and CI67-1187 are contingent upon Applicants' filing of a billing statement for the first month's service as required by the regulations under the Natural Gas Act.

(K) A certificate is issued herein to Sue Trammell Whitfield and W. B. Trammell, Jr., in Docket No. CI67-1103, authorizing Applicants to continue the sale of natural gas previously covered by the certificate issued to Pan American Petroleum Corp. (Operator) et al., in Docket No. G-4831.

(L) The certificate heretofore issued in Docket No. G-4831 is amended by deleting therefrom the interests of Sue Trammell Whitfield and W. B. Trammell, Jr.

(M) Docket No. CI67-1080 is canceled.

(N) The initial price for the sale authorized in Docket No. CI66-988, attribable to acreage in Roger Mills County, Okla., shall be 15.0 cents per Mcf at 14.65 p.s.i.a., subject to B.t.u. adjustment, and Applicant shall file a revised billing statement reflecting the 15.0 cents price as required by the regulations under the Natural Gas Act.

(O) The certificates heretofore issued in Docket Nos. G-4831, G-18142, CI61-1711, CI65-333, CI66-939, CI66-988, CI67-90, and CI67-351 are amended by adding thereto or deleting therefrom authorization to sell natural gas to the same purchasers and in the same areas as covered by the original authorizations, pursuant to the rate schedule supplements as indicated in the tabulation herein.

(P) The sale heretofore authorized to be made in Docket No. G-11743 is made pursuant to the authorization granted herein in Docket No. G-4831, in paragraph (O) above, and the certificate heretofore issued in Docket No. G-11743 is terminated.

(Q) The acceptance for filing of the related rate schedule in Docket No. CI65-333 is contingent upon Applicant's filing of a billing statement for the first month's service as required by the regulations under the Natural Gas Act.

(R) The certificate heretofore issued in Docket No. CI61-516 is amended by deleting therefrom authorization to sell natural gas from acreage assigned to Applicant in Docket No. CI67-1098.

(S) The certificates heretofore issued in Docket Nos. G-19293 and CI63-826 are amended by changing the certificate holders to the respective successors in interest as indicated in the tabulation herein.

(T) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described, all as more fully described in the respective applications and in the tabulation herein are granted.

(U) The certificate heretofore issued in Docket No. G-3210 is terminated only insofar as it relates to Southeastern Gas Co.'s FPC Gas Rate Schedule Nos. 28 and 29, respectively.

(V) The rate suspension proceeding pending in Docket No. RI64-721 is terminated only with respect to Tidewater Oil Co.'s FPC Gas Rate Schedule No. 87.

(W) The certificates heretofore issued in the following dockets are terminated:

G-4896	CI64-25	CI64-511
G-4983	CI64-141	CI64-512
G-5121	CI64-153	CI64-513
G-5958	CI64-421	CI64-515
G-7281	CI64-480	CI64-548
G-16776	CI64-493	CI64-608
G-18368	CI64-494	CI64-627
G-19174	CI64-495	CI64-630
G-20024	CI64-496	CI64-744
CI60-474	CI64-497	CI64-753
CI61-454	CI64-504	CI64-762
CI61-868	CI64-505	CI64-763
CI61-1313	CI64-506	CI64-779
CI62-678	CI64-507	CI64-874
CI62-1288	CI64-508	CI64-975
CI63-600	CI64-509	CI64-1520
CI63-795	CI64-510	CI65-33

(X) J. Lee Youngblood (Operator) et al., shall be co-respondent in the proceeding pending in Docket No. RI65-570, said proceeding is redesignated accordingly,[8] and the agreement and undertaking submitted by J. Lee Youngblood (Operator) et al., in said proceeding is accepted for filing.

(Y) J. Lee Youngblood (Operator) et al., shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the agreement and undertaking submitted by him in Docket No. RI65-570 shall remain in full

[8] L. S. Youngblood (Operator) et al., and J. Lee Youngblood (Operator) et al.

force and effect until discharged by the Commission.

(Z) The respective related rate schedules and supplements as indicated in the tabulation herein are accepted for filing; further, the rate schedules relating to the successions herein are accepted and redesignated, subject to the applicable Commission regulations under the Natural Gas Act to be effective on the dates as indicated in the tabulation herein.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

Docket No. and date filed	Applicant	Purchaser, field and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
G-4831 (G-11743) [1] C 2-23-67	Pan American Petroleum Corp. (Operator) et al. (successor to Shell Oil Co.).	Natural Gas Pipeline Co. of America, Old Ocean Field, Brazoria and Matagorda Counties, Tex.	Assignment 9-1-65 [2]	[3] 69	12
G-18142 D 6-7-63	Sunray DX Oil Co.	Transwestern Pipeline Co., acreage in Beaver County, Okla.	Letter Agreement 5-8-63 [4]	206	11
			Effective date: 7-6-63		
G-19293 E 2-23-67	Horizon Oil & Gas Co. of Texas (successor to Andrew A. Bradford et al.).	Panhandle Eastern Pipe Line Co., Wildcat Field, Hansford County, Tex.	Andrew A. Bradford et al., FPC GRS No. 1.	4	
			Supplemental No. 1	4	1
			Notice of succession 2-17-67.		
			Assignment 6-2-66 [5]	4	2
			Assignment 6-3-66 [6]	4	3
			Effective date: 6-1-66		
CI61-1711 D 2-27-67	Gulf Oil Corp.	Oklahoma Natural Gas Gathering Corp., Ringwood Field, Major County, Okla.	Letter Agreement 12-20-66 [7] [8]	222	4
CI63-826 E 2-16-67	J. Lee Youngblood (Operator) et al. (successor to L. S. Youngblood (Operator) et al.).	Cities Service Gas Co., Eureka Field, Grant County, Okla.	L. S. Youngblood (Operator) et al., FPC GRS No. 2.	3	
			Supplemental Nos. 1-2	3	1-2
			Notice of succession 2-9-67.		
			Assignment 8-1-66 (13-517, 518) [10]	3	3
			Assignment 8-1-66 (13-519, 520) [10]	3	4
			Effective date: 8-1-66		
CI65-333 C 2-27-67 [11]	Lubell Oil Co.	Arkansas Louisiana Gas Co., Arpelar Area, Pittsburg County, Okla.	Supplemental Agreement 12-12-66 [12]	1	4
CI66-928 [13] A 3-31-66 [14]	John T. Stanley, agent for S. and B. Oil & Gas Co.	Carnegie Natural Gas Co., Union District, Ritchie County, W. Va.	Contract 11-15-57 [15]	1	
CI66-988 C 1-25-67 [11]	Shell Oil Co. (Operator) et al. [16]	Panhandle Eastern Pipe Line Co., South Bishop Field, Ellis and Roger Mills Counties, Okla.	Amended Agreement 11-21-66.	332	3
			Ratified 8-26-66 [16]	332	4
			Ratified 9-16-66 [16]	332	5
			Ratified 9-1-66 [16] [17]	332	6
CI67-90 D 10-25-66	Amax Petroleum Corp.	Arkansas Louisiana Gas Co., acreage in Haskell County, Okla.	Contract release 8-23-66. [17]	24	21
			Contract release 9-28-66. [8] [17]	24	22
CI67-94 [18] A 7-25-66	James E. Siar	United Natural Gas Co., Eldred and Rose Townships, Jefferson County, Pa.	Contract 6-14-22 [19]	1	
			Letter 9-25-52 [20]	1	1
			Letter 2-14-55 [21]	1	2
CI67-351 C 2-20-67 [11]	Amerada Petroleum Corp. (Operator) et al.	Panhandle Eastern Pipe Line Co., N. E. Waynoka Field, Woods County, Okla.	Amendment 1-9-67 [11] [22]	139	1

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
CI67-852 A 1-12-67 [11]	Delta Corp.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	Contract 12-12-66	9	
CI67-857 A 1-13-67 3-10-67 [14] [23]	Earl Clayton (Operator) et al.	Phillips Petroleum Co., West Panhandle Field, Gray County, Tex.	Contract 12-18-66 [12]	2	
CI67-872 A 1-18-67 [11]	Wessely Petroleum, Ltd.	Michigan Wisconsin Pipe Line Co., Mocane-Laverne Field, Harper County, Okla.	Contract 12-5-66	4	
CI67-955 A 2-1-67 [24]	Pan American Petroleum Corp. (Operator) et al.	Texas Gas Transmission Corp., Shiloh Field, Union Parish, La.	Contract 1-17-67	404	
CI67-974 A 2-6-67 [11]	Wessely Petroleum, Ltd.	Michigan Wisconsin Pipe Line Co., Mocane-Laverne Field, Harper County, Okla.	Contract 1-4-67	3	
CI67-983 A 2-8-67 [11]	Jones & Pellow Oil Co., et al.	Panhandle Eastern Pipe Line Co., acreage in Dewey County, Okla.	Contract 11-28-66	3	
			Compliance (Undated) [11] [25]	3	1
CI67-985 A 2-8-67 [11]	Jones & Pellow Oil Co., et al.	Panhandle Eastern Pipe Line Co., Southeast Arnett Field, Ellis County, Okla.	Contract 11-15-66	4	
CI67-1000 (CI61-1313) B 2-6-67	William K. Davis (Operator) et al.	Texas Eastern Transmission Corp., Southeast Rhode Ranch Field, McMullen County, Tex.	Notice of cancellation 2-2-67. [6] [11]	3	2
CI67-1003 A 2-9-67 [11]	National Cooperative Refinery Association (Operator), et al.	Panhandle Eastern Pipe Line Co., acreage in Texas County, Okla.	Contract 11-18-66	15	
CI67-1017 A 2-21-66 [11] [26a]	W. P. Ryan, for the Estate of James A. May.	Kentucky-West Virginia Gas Co., Beaver Creek Area, Floyd County, Ky.	Contract 1-14-44	1	
CI67-1019 A 2-10-67 [11]	Robert E. Aikman et al., d.b.a. A.I.K., Ltd., No. 2 (Operator) et al.	Natural Gas Pipeline Co. of America, North Lovedale Field, Harper County, Okla.	Contract 11-1-66	16	
CI67-1022 A 2-9-67 [16]	Sun Oil Co. (Rocky Mountain Division).	Mountain Fuel Supply Co., North Craig Field, Moffat County, Colo.	Contract 10-1-66	214	
			Supplemental Agreement 10-1-66. [27]	214	1
CI67-1023 A 2-10-67	Paul E. Shaffer Co.	The Manufacturers Light & Heat Co., Porter Township, Clarion County, Pa.	Contract 1-9-38 [28]	1	
			Assignment 12-9-65 [27]	1	1
			Effective date: 12-9-65		
		Mahoning Township, Armstrong County, Pa.	Contract 8-26-64 [29]	2	
			Assignment 12-9-65 [27]	2	1
			Effective date: 12-9-65		
		do	Contract 8-26-64 [29]	3	
			Assignment 12-9-65 [27]	3	1
			Effective date: 12-9-65		
CI67-1025 (G-5121) B 2-10-67	Trigood Oil Co. (successor to Fred Goodstein).	Colorado-Wyoming Gas Co., Berthoud Field, Larimer County, Colo.	Notice of cancellation 2-18-67. [6] [11]	2	6
CI67-1026 A 2-13-67 [11]	Robert Moelbacher (Operator) et al.	Trunkline Gas Co., East Mulvey Field, Vermilion Parish, La.	Contract 12-6-66 [30]	24	
CI67-1029 A 2-10-67 [11]	W. G. Rogers et al.	Panhandle Eastern Pipe Line Co., Mocane-Laverne Area, Beaver County, Okla.	Contract 1-6-67	1	
CI67-1042 (CI62-1288) B 2-13-67	Robert Moelbacher (Operator) et al.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., North Texana Field, Jackson County, Tex.	Notice of cancellation 2-9-67. [6] [11]	21	2
CI67-1043 A 2-13-67 [11]	Vernon J. Main, Jr.	Texas Gas Transmission Corp., Oberlin Field, Allen Parish, La.	Contract 2-7-67	2	
CI67-1053 A 2-15-67 [18]	Union Pacific Railroad Co.	Colorado Interstate Gas Co., Point of Rocks Field, Sweetwater County, Wyo.	Contract 11-15-66 [12]	9	

Docket No. and date filed	Applicant	Purchaser, field and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
CI67-1057 A 2-16-67 [14]	North Star Petroleum Corp.	Phillips Petroleum Co., acreage in Hutchison County, Tex.	Contract 2-13-67 [21]	1	
CI67-1063 A 2-16-67 [18]	Martha Fordyce	The Manufacturers Light & Heat Co., South Franklin Township, Washington County, Pa.	Contract 9-10-24 [20]	1	
			Assignment 11-3-44 [20]	1	1
			Assignment 12-30-59 [20]	1	2
CI67-1067 A 2-16-67 [22]	Dunn-Mar Oil & Gas Co.	The Manufacturers Light & Heat Co., Cumberland Township, Greene County, Pa.	Contract 4-27-64 [21]	23	
CI67-1068 A 2-16-67 [23]	do	The Manufacturers Light & Heat Co., Morris Township, Greene County, Pa.	Contract 4-14-56 [21]	22	
CI67-1069 A 2-16-67 [19]	do	The Manufacturers Light & Heat Co., Grey Township, Greene County, Pa.	Contract 7-29-43 [21]	21	
			Assignment 11-15-52 [20]	21	1
CI67-1070 A 2-16-67 [21] [24]	do	The Manufacturers Light & Heat Co., Aleppo and Richhill Townships, Greene County, Pa.; and Cameron District, Marshall County, W. Va.	Contract 6-2-65 [21]	24	
CI67-1072 A 2-16-67 [24]	Sydney Spofforth et al.	Equitable Gas Co., West Union District, Doddridge County, W. Va.	Contract 1-13-67 [21]	8	
CI67-1078 A 2-17-67 [25]	A. C. Renner et al.	The Manufacturers Light & Heat Co., Amwell Township, Washington County, Pa.	Contract 9-14-49	1	
CI67-1080 [26] (CI66-939) C 2-20-67 [24]	D. R. Lanck Oil Co., Inc. (Operator) et al.	Northern Natural Gas Co., Wil Field, Edwards County, Kans.	Amendatory agreement 1-9-67, [27]	5	1
CI67-1082 A 2-17-67 [24]	Sinclair Oil & Gas Co.	El Paso Natural Gas Co., Mickelson Creek Field, Sublette County, Wyo.	Contract 12-20-66 [21]	373	
CI67-1087 A 2-8-67 [28]	Louden Production Co. et al.	The Manufacturers Light & Heat Co., Red Bank Field, Armstrong County, Pa.	Contract 10-5-27	1	
			Letter agreement 11-7-33.	1	1
			Letter agreement 9-9-35.	1	2
			Assignment 11-18-65 [29]	1	3
CI67-1089 A 2-16-67 [24]	General Petroleum Corp. et al.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	Contract 1-2-67 [21]	5	
CI67-1092 A 2-20-67 [24]	Lyle K. Baker, agent	Equitable Gas Co., Short Run Community, Tyler County, W. Va.	Statement (undated) [8]	1	
CI67-1094 A 2-20-67 [24]	Loyce Phillips (Operator) et al.	United Gas Pipe Line Co., Pettit Field, Harrison County, Tex.	Contract 2-6-67	3	
A CI67-1096 (CI61-516) F 2-16-67	Ashland Oil & Refining [30] Co. (successor to Pan American Petroleum Corp. (Operator) et al.).	Michigan Wisconsin Pipe Line Co., N. E. Selling Field, Major County, Okla.	Contract 8-25-60 [20]	184	
			Assignment 8-1-62 [31]	184	1
			Letter 3-1-67 [32]	184	2
			Effective date: 8-1-62.		
CI67-1103 A 2-16-67 [33] (G-4831)	Sue Trammell Whitfield and W. B. Trammell, Jr.	Natural Gas Pipeline Co. of America, Old Ocean Field, Brazoria and Matagorda Counties, Tex.	Contract 1-23-59	1	
CI67-1107 A 2-10-67 [34]	C. L. Sample	The Manufacturers Light & Heat Co., Richhill Field, Greene County, Pa.	Contract 2-15-39	5	
			Letter Agreement 1-22-42 [35]	5	1
CI67-1109 (CI64-1320) B 2-13-67	Crystal Oil & Land Co.	Texas Eastern Transmission Corp., Elm Grove Field, Bossier Parish, La.	Notice of cancellation 2-10-67, [5] [36]	3	1
CI67-1110 (G-3210) [37] B 2-16-67	Southeastern Gas Co.	Cabot Corp., acreage in Calhoun County, W. Va.	Notice of cancellation 3-26-65, [5] [37]	28	3
CI67-1111 (G-3210) [38] B 2-16-67	do	do	Notice of cancellation 3-26-65, [5] [38]	29	1
CI67-1112 (G-4983) B 2-16-67	Kidd Oil & Gas Co.	do	Notice of cancellation (undated), [5] [39]	1	4
CI67-1113 (G-5958) B 2-16-67	Okmar Oil Co.	do	Notice of cancellation (undated), [5] [40]	4	1
CI67-1114 (G-20024) B 2-16-67	C. I. West Virginia Corp.	Cabot Corp., Reedy District, Wirt County, W. Va.	Notice of cancellation (undated), [5] [41]	2	1
CI67-1115 B 2-16-67	Holly Nester, agent	Cabot Corp., acreage in Calhoun County, W. Va.	Notice of cancellation (undated), [5] [42]	5	3
(G-7281) (CI64-753)	Holly Nester, agent for Starkey Gas Co.	Center District, Calhoun County, W. Va.	Notice of cancellation (undated), [5] [43]	27	1
CI67-1116 (CI60-474) B 2-16-67	C. I. West Virginia Corp.	Cabot Corp., Burning Springs District, Wirt County, W. Va.	Notice of cancellation (undated), [5] [44]	4	1
CI67-1117 (CI61-454) B 2-16-67	do	Cabot Corp., Reedy District, Wirt County, W. Va.	Notice of cancellation (undated), [5] [45]	6	1
CI67-1118 (CI62-678) B 2-16-67	Emmett Cronin, agent for White Rock Oil & Gas Co.	Cabot Corp., Murphy District, Ritchie County, W. Va.	Notice of cancellation (undated), [5] [46]	1	1
CI67-1119 (CI62-600) B 2-16-67	Grass Run Oil & Gas Co.	Cabot Corp, acreage in Ritchie County, W. Va.	Notice of cancellation (undated), [5] [47]	2	1
CI67-1120 (CI63-795) B 2-16-67	H & H Oil & Gas Co.	Cabot Corp., Washington District, Calhoun County, W. Va.	Notice of cancellation (undated), [5] [48]	1	1
CI67-1121 (CI64-141) B 2-16-67	Walter E. Smith et al.	Cabot Corp., Sherman District, Calhoun County, W. Va.	Notice of cancellation (undated), [5] [49]	16	1
CI67-1122 (CI64-421) B 2-16-67	D. L. Gainer, d.b.a. Gunn-Stevens et al.	Cabot Corp., Sheridan District, Calhoun County, W. Va.	Notice of cancellation (undated). [50]	6	1
CI67-1123 (CI64-480) B 2-16-67	W. E. Smith et al.	Cabot Corp., Sherman District, Calhoun County, W. Va.	Notice of cancellation (undated), [5] [51]	18	1
CI67-1124 (CI64-493) B 2-16-67	I. Dolph Fowler, agent for Fowler Gas Co.	Cabot Corp., Lee District, Calhoun County, W. Va.	Notice of cancellation 3-27-65, [5] [52]	5	1
CI67-1125 (CI64-494) B 2-16-67	do	Cabot Corp., Sherman District, Calhoun County, W. Va.	Notice of cancellation 3-27-65, [5] [53]	3	1
CI67-1126 (CI64-495) B 2-16-67	do	Cabot Corp., Lee District, Calhoun County, W. Va.	Notice of cancellation 3-27-65, [5] [54]	4	1
CI67-1127 (CI64-496) B 2-16-67	do	Cabot Corp., Sherman District, Calhoun County, W. Va.	Notice of cancellation 3-27-65, [5] [55]	2	1
CI67-1128 (CI64-497) B 2-16-67	do	Cabot Corp., Center District, Calhoun County, W. Va.	Notice of cancellation 3-27-65, [5] [56]	1	1
CI67-1129 (CI64-504) B 2-16-67	C. O. Poling et al. d.b.a. Smith & Poling Gas Co.	Cabot Corp., Center District, Calhoun County, W. Va.	Notice of cancellation 3-22-65, [5] [57]	2	1
CI67-1130 (CI64-505) B 2-16-67	do	Cabot Corp., Lee District, Calhoun County, W. Va.	Notice of cancellation 3-22-65, [5] [58]	3	1
CI67-1131 (CI64-506) B 2-16-67	do	Cabot Corp., Sheridan District, Calhoun County, W. Va.	Notice of cancellation 3-22-65, [5] [59]	4	1
CI67-1132 (CI64-507) B 2-16-67	do	Cabot Corp., Sherman District, Calhoun County, W. Va.	Notice of cancellation 3-22-65, [5] [60]	5	1
CI67-1133 (CI64-508) B 2-16-67	do	Cabot Corp., Lee District, Calhoun County, W. Va.	Notice of cancellation 3-22-65, [5] [61]	6	1

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
CI67-1134 (CI64-509) B 2-16-67	do	Cabot Corp., Burning Springs District, Wirt County, W. Va.	Notice of cancellation 3-22-65 [5] [6]	7	1
CI67-1135 (CI64-510) B 2-16-67	Francis Cain	Cabot Corp., Center District, Calhoun County, W. Va.	Notice of cancellation (undated) [5] [6]	16	1
CI67-1136 (CI64-511) B 2-16-67	do	Cabot Corp., Sherman District, Calhoun County, W. Va.	Notice of cancellation (undated) [5] [6]	18	1
CI67-1137 (CI64-512) B 2-16-67	do	Cabot Corp., Center District, Calhoun County, W. Va.	Notice of cancellation (undated) [5] [6]	17	1
CI67-1138 (CI64-513) B 2-16-67	do	Cabot Corp., Sheridan District, Calhoun County, W. Va.	Notice of cancellation (undated) [5] [6]	19	1
CI67-1139 (CI64-874) B 2-16-67	do	Cabot Corp., Center District, Calhoun County, W. Va.	Notice of cancellation (undated) [5] [6]	22	1
CI67-1140 (CI64-548) B 2-16-67	Philip Lemon, agent for Franz Nickolich et al.	Cabot Corp., Murphy District, Ritchie County, W. Va.	Notice of cancellation (undated) [5] [6]	15	1
CI67-1141 (CI64-608) B 2-16-67	Grant Fowler, agent for S. P. Bell Heirs Tract.	Cabot Corp., Sherman District, Calhoun County, W. Va.	Notice of cancellation (undated) [5] [6]	7	1
CI67-1142 (CI64-627) B 2-16-67	Paul Fleming et al., d.b.a. Fleming Oil & Gas Co.	Cabot Corp., Washington District, Calhoun County, W. Va.	Notice of cancellation 3-23-65 [5] [6]	1	1
CI67-1143 (CI64-630) B 2-16-67	Star Gas Co.	Cabot Corp., Sherman District, Calhoun County, W. Va.	Notice of cancellation (undated) [5] [6]	22	1
CI67-1144 (CI64-744) B 2-16-67	Francis E. Cain	Cabot Corp., Center District, Calhoun County, W. Va.	Notice of cancellation (undated) [5] [6]	21	1
CI67-1145 (CI64-762) B 2-16-67	O. D. Smith Gas Co.	Cabot Corp., acreage in Calhoun County, W. Va.	Notice of cancellation 3-23-65 [6] [6]	1	1
CI67-1146 (CI64-763) B 2-16-67	do	Cabot Corp., acreage in Wirt and Calhoun Counties, W. Va.	Notice of cancellation 3-23-65 [5] [6]	2	1
CI67-1147 (CI64-779) B 2-16-67	P. P. Gunn et al.	Cabot Corp., Lee District, Calhoun County, W. Va.	Notice of cancellation (undated) [5] [6]	19	1
CI67-1148 (CI64-515) B 2-16-67	Francis Cain d.b.a. Rose Everson Gas Co.	Cabot Corp., Lee District, Calhoun County, W. Va.	Notice of cancellation (undated) [5] [6]	20	1
CI67-1149 (CI64-975) B 2-16-67	Clarence Maze	Cabot Corp., Sherman District, Calhoun County, W. Va.	Notice of cancellation (undated) [5] [6]	1	1
CI67-1150 (CI65-33) B 2-16-67	C. W. Beecher, agent for Graham Stutler Gas Co.	Cabot Corp., Lee District, Calhoun County, W. Va.	Notice of cancellation (undated) [5] [6]	1	1
CI67-1151 B 2-16-67 (G-4896)	Smith & Barker Oil & Gas Co., Inc., d.b.a. Leach Oil & Gas Co.	Cabot Corp., acreage in Calhoun County, W. Va.	Notice of cancellation (undated) [5] [6]	11	1
(CI64-153)	Smith & Barker Oil & Gas Co., Inc.	Lee District, Calhoun County, W. Va.	Notice of cancellation (undated) [5] [6]	24	1
CI67-1153 A 2-24-67 [14]	Charles T. Bryner	The Manufacturers Light & Heat Co., North Strabane Field, Washington County, Pa.	Contract 7-1-25 [6]	1	
			Assignment 9-14-61 [7]	1	1
CI67-1155 A 2-24-67 [14]	U.S. Smelting Refining & Mining Co.	Mountain Fuel Supply Co., North Craig Field, Moffatt County, Colo.	Contract 10-1-66	18	
			Supplemental Agreement 10-1-66 [12]	18	1
CI67-1158 A 2-23-67 [13]	Mack Oil Co.	Arkansas Louisiana Gas Co., Drummond Area, Major County, Okla.	Contract 1-24-67 [6]	5	
			Contract 7-2-62 [12]	5	1
CI67-1162 (G-19174) B 2-27-67	Tidewater Oil Co.	Texas Eastern Transmission Corp., Chalk Hill Field, Rusk County, Tex.	Notice of cancellation 2-23-67 [5] [13]	[6] 87	7
CI67-1163 A 2-27-67 [14]	Allegheny Land & Mineral Co.	Consolidated Gas Supply Corp., Murphy and Grant Districts, Ritchie County, W. Va.	Contract 4-5-66 [12]	12	
CI67-1164 A 2-27-67 [14]	Trojan Coal & Petroleum Corp. et al.	Consolidated Gas Supply Corp., Center District, Gilmer County, W. Va.	Contract 9-7-67 [12]	8	
CI67-1165 (CI64-25) B 2-27-67	Gulf Oil Corp.	Kansas-Nebraska Natural Gas Co., Inc., Dolls Hill Field, Fremont County, Wyo.	Notice of cancellation 2-24-67 [5] [13]	299	2
CI67-1166 A 2-27-67 [14]	Haas Bros.	United Gas Pipe Line Co., Blanconia Field, Bee County, Tex.	Contract 1-31-67	1	
CI67-1171 A 2-27-67 [14]	Allegheny Land & Mineral Co.	Consolidated Gas Supply Corp., Mannington District, Marion County, W. Va.	Contract 12-2-66 [12]	11	
CI67-1172 A 2-28-67	Midterra Associates, Inc.	Lake Shore Pipe Line Co., Bushnell Field, Erie County, Pa.	Contract 1-23-67 [12]	7	
CI67-1173 (CI61-868) B 2-28-67	Global Oils, Inc.	Natural Gas Pipeline Co. of America, Southeast Woodward Field, Woodward County, Okla.	Notice of cancellation (undated) [5] [13]	3	3
CI67-1174 A 2-28-67 [14]	Gulf Oil Corp.	Northern Natural Gas Co., Killebrew Field, Roberts County, Tex.	Contract 1-3-67 [12]	385	
CI67-1175 (G-16776) B 2-27-67	Pan American Petroleum Corp.	Texas Eastern Transmission Corp., West Puerto Bay Field, San Patricio County, Tex.	Notice of cancellation 2-24-67 [5] [13]	241	6
CI67-1176 A 2-28-67 [14] [15]	Sybil C. Bradford et al.	Consolidated Gas Supply Corp., Sherman District, Boone County, W. Va.	Contract 10-27-28 [9]	1	
			Letter of attorney 12-28-44 [15]	1	1
			Letter 12-22-47 [15]	1	2
			Letter agreement 8-18-52 [15]	1	3
			Letter agreement 3-10-53 [16]	1	4
CI67-1178 (G-18368) B 2-28-67	Texas Oil & Gas Corp.	Texas Eastern Transmission Corp., Garwood Field, Colorado County, Tex.	Notice of cancellation 2-28-67 [5] [13]	45	10
CI67-1180 A 2-27-67 [14]	Hanlon Oil Co.	Consolidated Gas Supply Corp., Union and Murphy Districts, Ritchie County, W. Va.	Contract 9-14-66 [12]	8	
CI67-1182 A 2-27-67 [14]	Chandler-Simpson, Inc., et al.	El Paso Natural Gas Co., Mickelson Creek Unit, Sublette County, Wyo.	Contract 11-21-66	1	
CI67-1187 A 3-1-67	Wardle Barnett	United Fuel Gas Co., Big Creek Field, Pike County, Ky.	Contract 1-30-67 [12]	3	

See footnotes at end of table.

[1] Pan American acquired all of Shell Oil Co.'s interest heretofore covered under Shell's FPC GRS No. 149 and certificate in Docket No. G-11743; therefore, the certificate heretofore issued in Docket No. G-11743 will be terminated.

[2] Assignment of Shell's interest to Pan American Petroleum Corp. A letter agreement dated Nov. 4, 1966 whereby Pan American and the buyer agree to cancel Shell's contract and include the interest in Pan American's related contract is made a part of this supplement.

[3] Supersedes Shell Oil Co.'s FPC GRS No. 149, as supplemented.

[4] Deletes a portion of the dedicated acreage; purchaser has not connected its gathering system to any of the leases proposed to be deleted. Acreage should have been excluded from certificate issued Apr. 15, 1965 in this docket.

[5] Assignment from Andrew A. Bradford and J. C. Armstrong to Applicant.

[6] Assignment from Steed and Steed to Applicant.

[7] Letter from buyer dated Mar. 7, 1967 states that the reserves and daily volumes attributable to Gulf's interest in the Frantz Unit were not sufficient to justify the three miles of pipeline needed to connect the well.

[8] Effective date. Date of this order.

[9] Omitted.

[10] Identified by lease numbers.

[11] July 1, 1967, moratorium pursuant to the Commission's Statement of General Policy No. 61-1, as amended.

[12] Effective date: Date of initial delivery (Applicant shall advise the Commission as to such date).

[13] Sale being rendered without prior Commission authorization.

[14] Jan. 1, 1968, moratorium pursuant to the Commission's Statement of General Policy No. 61-1, as amended.

[8] Sales from Oklahoma "Panhandle" Area at 17.0 cents; Applicant by letter dated Feb. 27, 1967 stated willingness to accept authorization at 15.0 cents for sales from the Oklahoma "Other" Area.
[9] Ratification by "et al." parties of contract dated Jan. 20, 1966 between buyer and Shell Oil Co.
[10] (Supp. No. 21) cost to connect is $13,950 for 951 MMcf of reserves or $14,668/MMMcf, which exceeds the contract provisions of $5,000/MMMcf of reserves; (Supp. No. 22) cost to connect is $110,400 for 4,655 MMcf of reserves or $23,716/MMMcf, which exceeds the contract provisions of $5,000/MMMcf of reserves.
[11] Sale being rendered on June 7, 1954.
[12] Between George M. Gardner and United Natural Gas Co.
[13] Establishes price at 29.46 cents per Mcf at 14.73 p.s.i.a.
[14] Shows evidence of Applicant's ownership of contract.
[15] Limited to depths above the Mississippian System.
[16] Amendment to the application to reflect a total initial price of 8.0 cents in lieu of the original proposed price of 12.0 cents.
[17] Complies with temporary certificate issued Feb. 27, 1967. Applicant states willingness to accept a permanent certificate as conditioned in the temporary.
[18] Source of gas depleted.
[19] Additional material submitted on Nov. 18, 1966 and Jan. 24, 1967. Rate filing completed Feb. 3, 1967.
[20] Between Paul E. Shaffer Co. and The Manufacturers Light & Heat Co.
[21] From Paul E. Shaffer to R. B. Robertson and Arthur V. Shaffer, partners in Paul E. Shaffer Co. (no certificate or rate filings made by predecessor).
[22] Leases provide for various depth limitations.
[23] Between New Oil and Gas Co. and The Manufacturers Light & Heat Co.
[24] From New Oil and Gas Co. to Dunn-Mar Oil & Gas Co.
[25] From Dunn-Mar Oil & Gas Co. to Martha Fordyce (no certificate or rate filings made by predecessors).
[26] Contract between The Orndorff Co. and The Manufacturers Light & Heat Co.
[27] From Orndorff to Dunn-Mar Oil & Gas Co.
[28] Jan. 1, 1968, moratorium applicable only to sales in West Virginia.
[29] Application erroneously assigned Docket No. CI67-1080 will be treated as a petition to amend the certificate heretofore issued in Docket No. CI66-939 and Docket No. CI67-1080 will be canceled.
[30] Assigns interest of C. E. Louden, Sr. (deceased), to C. E. Louden, Jr.
[31] Statement filed pursuant to section 154.92(c). Contract dated Jan. 13, 1967 (No. 6167).
[32] Applicant has expressed willingness to accept a permanent certificate conditioned similarly to the certificates issued in Opinion No. 353.
[33] On file at Pan American Petroleum Corp. (Operator) et al., FPC GRS No. 330.
[34] Assigns acreage from Pan American Petroleum Corp. to Applicant.
[35] Provides for downward Btu adjustment.
[36] Applicant is filing to cover its own interest. Applicant's interest previously covered by Pan American Petroleum Corp. FPC GRS No. 69 and certificate in Docket No. G-4831.
[37] Increases contract rate to 21.5 cents per Mcf at 50° F. and 15.325 p.s.i.a.
[38] Other sales authorized in Docket No. G-3210; therefore, the certificate in said docket will be terminated only insofar as it relates to FPC GRS Nos. 28 and 29, respectively.
[39] Gas will no longer be sold in interstate commerce. All production now sold intrastate. Order authorizing abandonment by Cabot Gas Corp. issued June 11, 1964, in Docket No. CI64-1193.
[40] Between Grayson Oil Co. and The Manufacturers Light & Heat Co.
[41] Instrument by which Charles T. Bryner acquired his interest in contract (no certificate or rate filings made by predecessor).
[42] Adopts terms of contract dated July 2, 1962.
[43] 15.6-cent rate in effect subject to refund in Docket No. RI64-721; therefore, the rate suspension proceeding pending in Docket No. RI64-721 will be terminated only with respect to FPC GRS No. 87.
[44] Between G. S. Coon (deceased) and buyer.
[45] Establishes Sybil C. Bradford et al., as Heirs to the Estate of G. S. Coon.
[46] Increases contract price from 12.0 cents per Mcf to 15.0 cents per Mcf.
[47] Increases price to 16.0 cents per Mcf.
[48] Increases price to 20.0 cents per Mcf.

[F.R. Doc. 67-4625; Filed, Apr. 28, 1967; 8:45 a.m.]

[Docket No. RI67-357 etc.]

W. C. McBRIDE, INC., ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

APRIL 21, 1967.

The Respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however*, That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before June 7, 1967.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary*.

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI67-357	W. D. McBride, Inc., 25 North Brentwood Blvd., St. Louis, Mo. 63105.	10	7	Phillips Petroleum Co.[2] (Panhandle Field, Moore County, Tex.) (R.R. District No. 10).	$611	4-3-67	[3] 5-4-67	[4] 5-5-67	[7] 10.5	[5] [6] 11.0	
		11	7		511	4-3-67	[3] 5-4-67	[4] 5-5-67	[7] 10.5	[5] [6] 11.0	
RI67-358	LaGloria Oil & Gas Co.,[8] Post Office Box 2521, Houston, Tex. 77001.	2	10	Texas Eastern Transmission Corp. (Waskom Field, Harrison County, Tex.) (R.R. District No. 6).	12,931	3-24-67	[5] 4-24-67	[4] 4-25-67	[9] 12.9898	[5] [10] 14.0	

[2] Phillips gathers and processes the gas in its Dumas Gasoline Plant and resells the residue gas under its FPC Gas Rate Schedule No. 32 to El Paso Natural Gas Co. at a present effective rate of 19.76325 cents which is subject to refund in Docket No. G-22403.
[3] The stated effective date is the first day after expiration of the statutory notice.
[4] The suspension period is limited to 1 day.
[5] "Fractured" rate increase. Contractually due a rate of 11.5 cents on May 1, 1967.
[6] Pressure base is 14.65 p.s.i.a.
[7] Subject to a deduction of 0.5 cent per Mcf for sour gas.
[8] The stated effective date is the effective date proposed by Respondent.
[9] "Fractured" rate increase. Contractually due rate is 14.8 cents plus tax reimbursement.
[10] Seller waives right to any amount above 14.0 cents during remainder of relevant contract period which expires on Nov. 1, 1967.
[11] Includes base rate of 12.8 cents plus tax reimbursement (seller deducts its cost of transmission and compression before computing tax).
[12] LaGloria Oil & Gas Co. is a fully owned subsidiary of the buyer, Texas Eastern.

W. C. McBride, Inc. (McBride), requests that its proposed rate increase be permitted to become effective on May 1, 1967. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for McBride's rate filing and such request is denied.

McBride proposes two "fractured" rate increases from 10.5 cents to the area increased rate ceiling of 11.0 cents per Mcf for wellhead sales of gas to Phillips Petroleum Co. (Phillips) in Texas Railroad District No. 10. Phillips gathers the gas and after processing in its Dumas Gasoline Plant resells the residue gas at the plant tailgate to El Paso Natural Gas Co. under its FPC Gas Rate Schedule No. 32 at a rate of 19.76325 cents which is in effect subject to refund in Docket No. G-22403. McBride's rate schedules are subject to a moratorium for filing rate increases in excess of the area ceiling until November 1, 1968, pursuant to the Commission's order issued March 4, 1966, which conditionally approved McBride's settlement proposal in Docket Nos. G-16890 et al. Under the order McBride has the right to file for any increased rates, if contractually authorized, up to the applicable ceiling levels. Although the proposed 11.0-cent rate, considered a "fractured" rate since McBride is contractually entitled to a higher rate of 11.5 cents per Mcf on May 1, 1967, does not exceed the 11.0-cent increased rate ceiling for Texas Railroad District No. 10 as announced in the Commission's Statement of General Policy No. 61-1, as amended, it is suspended for 1 day from May 4, 1967, the date of expiration of the statutory notice, because such ceiling is applicable to Phillips' rate, not to McBride's rate.

LaGloria Oil and Gas Co. (LaGloria) proposes a "fractured" rate increase to its fully owned affiliate, Texas Eastern Transmission Corp. (Texas Eastern) for a sale of gas in Waskom Field, Harrison County, Tex. (Railroad District No. 6). Although LaGloria is contractually due a periodic increase to 14.8 cents plus tax reimbursement it has waived its right to file for any increase above 14.0 cents per Mcf during the remainder of the period that the 14.8-cent rate is due (until Nov. 1, 1967). LaGloria also retains its right to file for any increase to the area ceiling if such ceiling is increased during such period. Consistent with prior Commission action in suspending for 1 day sales to affiliates which would be otherwise acceptable (at or below the area ceiling) we conclude that LaGloria's proposed 14.0 cents per Mcf rate, even though it does not exceed the area increased rate ceiling for Texas Railroad District No. 6, should be suspended for 1 day from April 24, 1967, the proposed effective date.

[F.R. Doc. 67-4793; Filed, Apr. 28, 1967; 8:48 a.m.]

[Docket Nos. G-19952, G-19994]

RODMAN, LATE & NOEL ET AL.

Order Granting Relief

APRIL 21, 1967.

Rodman, Late & Noel and Rodman Petroleum Corp., Docket No. G-19952; and E. G. Rodman (Operator) et al., and C. G. Campbell and Rodman Petroleum Corp., Docket No. G-19994.

Rodman Petroleum Corp. (Rodman) filed on December 12, 1966, and January 16, 1967 two certificate applications, together with related rate filings, to succeed to certain services previously rendered by E. G. Rodman in Docket No. G-14518 and Rodman and Late in Docket No. G-14752. Rodman states that it has acquired the interest of E. G. Rodman covered by the certificate and related rate schedule in Docket No. G-14518 (Docket No. G-19994) and a portion of E. G. Rodman's interest covered by the certificate and rate schedule in Docket No. G-14752 (Docket No. G-19952).

Rodman, E. G. Rodman and Rodman and Late have small producer certificates and the certificates granted in Docket Nos. G-14518 and G-14752 have been terminated. In these circumstances no certificate action with respect to the succession by Rodman is necessary.

However, Rodman desires to continue collection of rates in excess of the rates authorized in its small producer certificate in the same manner that its predecessors were permitted to do by order issued February 6, 1967 in Rodman and Late et al., Docket Nos. CS66-48 et al. It is therefore necessary to redesignate and accept for filing the related rate schedules and supplements thereto effective as of September 1, 1966, the date of transfer of the properties involved.[1] It will also be necessary to make Rodman a co-respondent in the related suspension proceedings in Docket Nos. G-19994 and G-19952. In this connection, we shall require Rodman to file surety bonds in the amount of $2,200 in Docket No. G-19994 and $1,200 in Docket No. G-19952. E. G. Rodman will retain any refund obligation incurred by him in these proceedings with respect to the assigned acreage for the period prior to the transfer of his interest, and as to the acreage not assigned, his refund obligation, of course, will continue.

Rodman's above ceiling rates herein will be subject to the same conditions imposed upon E. G. Rodman and Rodman and Late in the above-mentioned February 6, 1967 order.

The Commission orders:

(A) E. G. Rodman's FPC Gas Rate Schedule No. 1, as supplemented, is redesignated as Rodman Petroleum Corp.'s FPC Gas Rate Schedule No. 3, as supplemented, and such rate schedule, together with Supplement Nos. 1 through 11 thereto, are accepted for filing effective as of September 1, 1966, but the 15.5599-cent rate contained therein is effective subject to refund in Docket No. G-19994.

(B) The acreage covered by Rodman and Late FPC Gas Rate Schedule No. 1, which has been assigned herein is designated as Rodman Petroleum Corp. and late, et al. FPC Gas Rate Schedule No. 1, as supplemented, and such rate schedule with Supplement Nos. 1 through 8 thereto are accepted for filing effective as of September 1, 1966, but the 17.2295-cent rate contained therein is effective subject to refund in Docket No. G-19952.

(C) Rodman Petroleum Corp. is made a co-respondent in the proceedings in Docket Nos. G-19994 and 19952.

(D) The above-ceiling rates referred to in paragraphs (A) and (B) above are subject to rejection as of September 1, 1966, in the event the Permian court stay is dissolved or the moratorium provisions in Opinion Nos. 468 and 468-A are upheld ultimately upon judicial review. The collection of such rates is also subject to the refund provisions of paragraph (D) of Opinion No. 468 as well as the refund provisions of the applicable suspension proceeding.

(E) Within 30 days of the issuance of this order, Rodman Petroleum Corp. shall file, in the attached form, executed surety bonds in the amount of $1,200 in Docket No. G-19952 and $2,200 in Docket No. G-19994 (signed by a responsible officer of the corporation and evidenced by proper authority from the board of directors). Said bonds shall be accompanied by a certificate to the effect that no other obligation has been assumed in connection with the bonds in addition to the payment of the bond premiums. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of filing, such bonds shall be deemed to be satisfactory and to have been accepted for filing. The bonds filed herein shall remain in full force and effect until discharged by the Commission. Rodman Petroleum Corp. shall comply with the refunding and reporting procedures required by the Natural Gas Act and § 154.102 of the regulations thereunder.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

SURETY BOND

Know All Men by These Presents,

That we (Name and address of the natural gas company) (hereinafter called "Principal"), as Principal, and (Name and address and place of incorporation of Surety Bond Company) (hereinafter called "Surety"), as Surety, are held and firmly bound unto the Federal Power Commission (Agency of the United States of America) (hereinafter called the "Obligee") in the sum of (Amount of proposed annual increased rates in dollars) for the payment of which well and truly to be made, we, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

The condition of this obligation is such that:

WHEREAS, (Name of Respondent), on (Date of Original Filing), filed with the Federal Power Commission (herein called the Commission) Supplement No. ------ to Respondent's FPC Gas Rate Schedule No. ------ proposing to increase a rate and charge over which the Commission has exercised jurisdiction; and

WHEREAS, by order issued (Suspension Order Issuance Date), the Commission sus-

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[1] E. G. Rodman FPC Gas Rate Schedule No. 1, as supplemented, will be redesignated as Rodman Petroleum Corp.'s FPC Gas Rate Schedule No. 3, and such rate schedule together with Supplement Nos. 1 through 11 thereto will be accepted for filing. The 15.5599-cent rate contained therein will continue in effect subject to refund in Docket No. G-19994. The acreage involved in Rodman and Late FPC Gas Rate Schedule No. 1 which has been assigned is designated as Rodman Petroleum Corp. and Late, et al. FPC Gas Rate Schedule No. 1, and such rate schedule together with Supplement Nos. 1 through 8 thereto will be accepted for filing. The 17.2295-cent rate contained therein will continue in effect subject to refund in Docket No. G-19952.

pended the operation of the proposed supplement and ordered a hearing to be held concerning the lawfulness of the proposed rate, charge, and classification, subject to the Commission's jurisdiction, as therein set forth; and by said order the use of such supplement was deferred until (Suspended Until Date), and until such further time as it is made effective in the manner prescribed by the Natural Gas Act; and

WHEREAS, a hearing has not been held and this proceeding has not been concluded; and (Name of Respondent), pursuant to the provisions of Section 4(e) of the Natural Gas Act, having on (Date Motion Filed), filed a motion to make the change in rate effective as of (Requested Effective Date); and

WHEREAS, the Commission, in response to said motion, on (Date of Notice), issued its notice making the rate, charge, and classification set forth in the aforesaid Supplement No. _____ to Respondent's FPC Gas Rate Schedule No. _____, effective as of (Effective Date), subject to Respondent's furnishing a bond in the sum of $_____, satisfactory to the Commission, and requiring that Respondent refund any portion of the increased rate and charge found by the Commission in Docket No. _____ not justified;

NOW, THEREFORE, if (Name of Respondent), its corporate surety, (and their heirs, executors, administrators [1]) successors and assigns, in conformity with the terms and conditions of the notice issued (Date of Notice) by the Federal Power Commission, Docket No. _____, (Name of Respondent), shall:

(1) Well and truly repay at such times and in such amounts, to the persons entitled thereto, and in such manner as may be required by the final order of the Commission in said proceeding, subject to court review thereof, any portion of such rate and charge collected by (Name of Respondent) after (Effective Date) as such final order may find not justified, together with interest thereon at the rate of seven (7) percent per annum from the date of payment thereof to (Name of Respondent) until refunded; and

(2) Comply otherwise with the terms and conditions of the notice issued (Date) in Docket No. _____, and with the provisions of the Natural Gas Act relating thereto,

then this obligation shall be terminated, otherwise to remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have placed their hands and seals on this _____ day of _____.

Attest:

_____

By _____
Principal

By _____
Surety

[F.R. Doc. 67-4794; Filed, Apr. 28, 1967; 8:48 a.m.]

[Docket No. CP66-198]

UNITED FUEL GAS CO.

Notice of Continuance of Prehearing Conference

APRIL 21, 1967.

Upon consideration of the request for continuance filed in Docket No. CP66-198 by United Fuel Gas Co. on April 17, 1967;

Notice is hereby given that the prehearing conference presently scheduled for April 27, 1967, in the above-designated matter is postponed until June 1, 1967.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 67-4795; Filed, Apr. 28, 1967; 8:48 a.m.]

[1] To be included if a noncorporate respondent.

CIVIL AERONAUTICS BOARD

[Docket No. 17308]

PACIFIC WESTERN AIRLINES, LTD.

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on May 25, 1967, at 10 a.m., e.d.s.t., in Room 211, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner William J. Madden.

Dated at Washington, D.C., April 25, 1967.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 67-4811; Filed, Apr. 28, 1967; 8:50 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 609]

ILLINOIS

Declaration of Disaster Area

Whereas, it has been reported that during the month of April 1967, because of the effects of certain disasters, damage resulted to residences and business property located in Boone, Cook, and Lake Counties, in the State of Illinois;

Whereas, the Small Business Administration has investigated and received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property, situated in the aforesaid counties and areas adjacent thereto, suffered damage or destruction resulting from tornado and accompanying conditions occurring on or about April 21, 1967.

OFFICE

Small Business Administration Regional Office, 219 South Dearborn Street, Chicago, Ill. 60604.

2. Temporary offices will be established at Belvidere, Lake Zurich, and Oaklawn, Ill., as are necessary, addresses to be announced locally.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to October 31, 1967.

Dated: April 22, 1967.

BERNARD L. BOUTIN,
Administrator.

[F.R. Doc. 67-4802; Filed, Apr. 28, 1967; 8:49 a.m.]

[Declaration of Disaster Area 610]

MICHIGAN

Declaration of Disaster Area

Whereas, it has been reported that during the month of April 1967, because of the effects of certain disasters, damage resulted to residences and business property located in Kent County, in the State of Michigan;

Whereas, the Small Business Administration has investigated and received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the offices below indicated from persons or firms whose property, situated in the aforesaid county and areas adjacent thereto, suffered damage or destruction resulting from tornado and accompanying conditions occurring on or about April 21, 1967.

OFFICE

Small Business Administration Regional Office, 1249 Washington Boulevard, Detroit, Mich. 48226.

2. A temporary office will be located at city hall, Wyoming, Mich.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to October 31, 1967.

Dated: April 24, 1967.

BERNARD L. BOUTIN,
Administrator.

[F.R. Doc. 67-4803; Filed, Apr. 28, 1967; 8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 25, 1967.

Protests to the granting of an application must be prepared in accordance with

Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40999—*Chlorine to Calvert, Ky.* Filed by Southwestern Freight Bureau, agent (No. B-8974), for interested rail carriers. Rates on chlorine, in tank carloads, and in shipments of not less than five (5) carloads, from specified points in Louisiana and Texas, also Wichita, Kans., to Calvert, Ky.

Grounds for relief—Market competition.

Tariffs—Supplements 157 and 61 to Southwestern Freight Bureau, agent, tariffs ICC 4534 and 4668, respectively, and supplement 43 to Western Trunk Line Committee, agent, tariff ICC A-4620.

FSA No. 41000—*Petroleum products from, to, and between points in southwestern and midcontinent territories.* Filed by Southwestern Freight Bureau, agent (No. B-8978), for interested rail carriers. Rates on petroleum rubber extender or rubber processing oil, in barrels, or in metal cans in wooden boxes or cases, or in tank carloads, from, to, or between, points in southwestern and midcontinent territories, and returned shipments from original destinations to original points of shipment.

Grounds for relief—Carrier competition.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67-4796; Filed, Apr. 28, 1967; 8:48 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 26, 1967.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41001—*Clay—Refused or rejected shipments—Returned to southern territory.* Filed by O. W. South, Jr., agent (No. A5024), for interested rail carriers. Rates on clay, in carloads, refused or rejected at destination and not unloaded or partially unloaded, returned, between points in southern territory, including St. Louis, Mo., and intermediate points on southern lines; also, from points in Illinois, official, southwestern, and western trunkline territories and points in Canada, to points in southern territory.

Grounds for relief—Carrier competition.

Tariffs—Supplements 258 and 21 to Southern Freight Association, agent, tariffs, ICC S-40 and S-438, respectively.

FSA No. 41002—*Chlorine to Norco, La.* Filed by O. W. South, Jr., agent (No. A5025), for interested rail carriers. Rates on chlorine, in tank carloads, from LeMoyne, Ala., to Norco, La.

Grounds for relief—Market competition.

Tariff—Supplement 69 to Southern Freight Association, agent, tariff ICC S-600.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67-4797; Filed, Apr. 28, 1967; 8:48 a.m.]

[Notice 374]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

APRIL 26, 1967.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR of Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 128932 TA (Correction), filed March 15, 1967, published FEDERAL REGISTER issue of March 25, 1967, republished as amended April 1, 1967, and republished as corrected, this issue. Applicant: ROBERT L. TORRANS, doing business as COMMERCIAL STORAGE & DISTRIBUTION CO., West 26th and Taylor Streets, Texarkana, Tex. 75501. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (1) between points within a 175-mile radius of Texarkana, Tex., and (2) between points within a 150-mile radius of Dallas, Tex., restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery services incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such shipments, and (3) *household goods* as defined by the Commission, between Texarkana, Tex., and Dallas, Tex., on the one hand, and, on the other, the ports of Galveston and Houston, Tex., and New Orleans, La., restricted to export-import shipments in containers only, for 180 days.

NOTE: The area in (1) and (2) above includes points in the counties of Milam, Bell, Lampasas, Mills, Brown, Callahan, Shackelford, Throckmorton, Baylor, Wilbarger, Wichita, Archer, Young, Stephan, Eastland, Comanche, Hamilton, Coryell, Robertson, Falls, McLennan, Bosque, Erath, Palo Pinto, Jack, Clay, Montague, Wise, Parker, Somerville, Cooke, Denton, Tarrant, Johnson, Hill, Limestone, Madison, Walker, Leon, Polk, Trinity, Houston, Freestone, Anderson, Navarro, Ellis, Dallas, Collin, Grayson, Fannin, Hunt, Lamar, Delta, Hopkins, Rockwall, Kaufman, Henderson, Van Zandt, Rains, Wood, Red River, Franklin, Titus, Morris, Bowie, Class, Upshur, Smith, Cherokee, Gregg, Marion, Harrison, Rusk, Panola, Shelby, Nacodoches, Angelina, San Augustine, Sabine, Tyler, Jasper, Newton, Camp, and Hood, Tex.; Crawford, Franklin, Johnson, Sebastian, Logan, Pope, Conway, Faulkner, Perry, Yell, Scott, Polk, Montgomery, Garland, Saline, Pulaski, Lonoke, Sevier, Howard, Pike, Clark, Hot Springs, Grant, Jefferson, Arkansas, Little River, Hempstead, Nevada, Ouachita, Dallas, Cleveland, Lincoln, Desha, Drew, Bradley, Calhoun, Miller, Lafayette, Columbia, Union, Ashley, and Chicot, Ark.; Muskogee, Sequoyah, McIntosh, Hughes, Pittsburg, Haskill, Le Flore, Latimer, Pontotoc, Garvin, Stephens, Cotton, Tillman, Jefferson, Carter, Love, Marshall, Johnston, Bryan, Atoka, Choctaw, McCurtain, Pushmataha, Coal, and Murray, Okla.; Caddo, Bossier, Webster, Claiborne, Union, Morehouse, West Carroll, East Carroll, Madison, Richland, Ouachita, Lincoln, Bienville, Red River, De Soto, Sabine, Natchitoches, Winn, Franklin, Catahoula, La Salle, Grant, Vernon, Rapides, and Jackson, La. The purpose of this republication is to set forth all of the authority requested in the application. Supporting shippers: Karevan, Inc., 419 Third Avenue West, Seattle, Wash. 98119; Home-Pack Transport, Inc., 57-48 49th Street, Maspeth 78, N.Y.; Higa Fast Pac, Inc., 465 California Street, Suite 530, San Francisco, Calif. 94104; Jet Forwarding, Inc., 2945 Columbia Street, Torrance, Calif. 90503; Trans Ocean Van Service, Post Office Box 7331, Long Beach, Calif. 90807. Send protests to: E. K. Willis, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67-4798; Filed, Apr. 28, 1967; 8:49 a.m.]

[Notice 1510]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 26, 1967.

Synopses of orders entered pursuant to section 212(b) of the Interstate Com-

merce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-69569. By order of April 21, 1967, the Transfer Board approved the transfer to Moore's Moving & Storage Co., Inc., Andover, N.J., of the operating rights in certificate No. MC-74656 issued January 10, 1950, to Scott's Express, a corporation, Rutherford, N.J., authorizing the transportation of: Household goods, as defined by the Commission, between specified counties in New Jersey and points in Rhode Island, New York, New Jersey, Connecticut, Massachusetts, and Pennsylvania, in a radial movement, and paper products and newspapers and printed circulars, between Tenafly, N.J., and New York, N.Y., and Stamford, Conn. Robert B. Pepper, 297 Academy Street, Jersey City, N.J. 07306, representative for transferor. George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306, representative for transferee.

No. MC-FC-69570. By order of April 21, 1967, the Transfer Board approved the transfer to Springbank Bus Lines Ltd., a corporation, London, Ontario, Canada, of the operating rights in certificate No. MC-123154 issued December 14, 1964, to John Greenwood and Roy Norton, doing business as Springbank Bus Lines, London, Ontario, Canada, authorizing the transportation of: Passengers and their baggage, in the same vehicle with passengers, in round-trip charter operations, beginning and ending at ports of entry on the United States-Canada boundary line, at Detroit and Port Huron, Mich., and Buffalo and Niagara Falls, N.Y., and extending to points in Michigan, Indiana, Ohio, Pennsylvania, New York, Maryland, Virginia, and the District of Columbia. S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C., attorney for applicants.

No. MC-FC-69571. By order of April 20, 1967, the Transfer Board approved the transfer to North Central Van Lines, Inc., Lincoln, Nebr., of the operating rights in certificate No. MC-40030, issued September 28, 1953, to El Reno Transfer & Storage Co., a corporation, El Reno, Okla., authorizing the transportation, of: Household goods, as defined by the Commission, and emigrant movables, between points in Canadian County, Okla., on the one hand, and, on the other, points in Texas, New Mexico, Missouri, Kansas, and Arkansas. Robert J. Gallagher, 111 State Street, Boston, Mass. 02109, attorney for applicants.

No. MC-FC-69573. By order of April 20, 1967, the Transfer Board approved the transfer to Chet's Transport, Inc., Charlotte, Maine, of certificates Nos. MC-127337 and MC-127337 (Sub-No. 1), both issued August 8, 1966, to Chester P. Sherrard, doing business as Chet's Transport, Charlotte (West Pembroke), Maine, and authorizing the transportation of bananas, and fresh fruit, fresh vegetables, and fresh berries, from Boston, Mass., to ports of entry on the United States-Canada boundary line at or near Houlton, Vanceboro, and Bar Harbor, Maine, restricted to traffic moving to points in specified Canadian provinces; smoked, cured, and processed fish, and frozen fish, from ports of entry on the United States-Canada boundary line at or near Vanceboro, Calais, Houlton, and Bar Harbor, Maine, to Boston and Gloucester, Mass., and fish wrapping paper and repair parts for fishing boats or fish processing machines, from Boston and Gloucester, Mass., to ports of entry on the United States-Canada boundary line at or near Vanceboro, Calais, Houlton, and Bar Harbor, Maine.

No. MC-FC-69574. By order of April 21, 1967, the Transfer Board approved the transfer to Bill Rogers Trucking Co., Inc., Odessa, Tex., of certificate No. MC-34209, issued March 20, 1943, to J. S. Brimberry, doing business as Oilfield Transportation Co., Odessa, Tex., and acquired by William Owen Rogers, doing business as Bill Rogers Trucking Co., Odessa, Tex., pursuant to No. MC-FC-68334, approved November 30, 1965, and consummated January 3, 1966. The said certificate authorizes the transportation of machinery, materials, supplies, and equipment incidental to, or used in, the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum, over irregular routes, between Ranger, Tex., and points and places within 100 miles thereof, on the one hand, and, on the other, points and places in Lea and Eddy Counties, N. Mex., and between Big Springs, Tex., and points and places in Texas within 120 miles thereof, except those within 100 miles of Ranger, Tex., on the one hand, and, on the other, Hobbs, N. Mex., and points and places in New Mexico within 50 miles of Hobbs. George W. Svanas, 418 West Fourth Street, Odessa, Tex. 79760, attorney for applicants.

No. MC-FC-69575. By order of April 20, 1967, the Transfer Board approved the transfer to Sanford Transfer, Inc., an Illinois corporation, Terre Haute, Ind., of certificate No. MC-106134, issued October 21, 1949, to Toler Trucking Co., Inc., Clay City, Ill., and authorizing the transportation of oilfield machinery, materials, supplies, and equipment, over irregular routes, between points and places in Illinois, Indiana, Kentucky, and Tennessee. W. L. Jordan, 201 Merchants Savings Building, Terre Haute, Ind. 47801, representative for applicants.

No. MC-FC-69576. By order of April 20, 1967, the Transfer Board approved the transfer to Fred Braunsroth and Gilbert Braunsroth, a partnership, Bloomfield, Nebr., of certificate No. MC-100256, issued January 3, 1949, to Ray Hagge, Bloomfield, Nebr., authorizing the transportation of livestock, between points and places in Hill, Herrick, Harrison, and Peoria Townships, Knox County, Nebr., on the one hand, and, on the other, Sioux City, Iowa, and Yankton, S. Dak.; commercial feed, from Sioux City, Iowa, and Yankton, S. Dak., to the specified Nebraska points; livestock and grain, from Bloomfield and Omaha, Nebr., and points and places in the vicinity of Bloomfield, to Sioux City, and Council Bluffs, Iowa, and feed, lumber, farm machinery, and coal from Sioux City and Council Bluffs, Iowa, to these specified Nebraska points. Gilbert Braunsroth, Bloomfield, Nebr. 68718, representative for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67-4799; Filed, Apr. 28, 1967; 8:49 a.m.]

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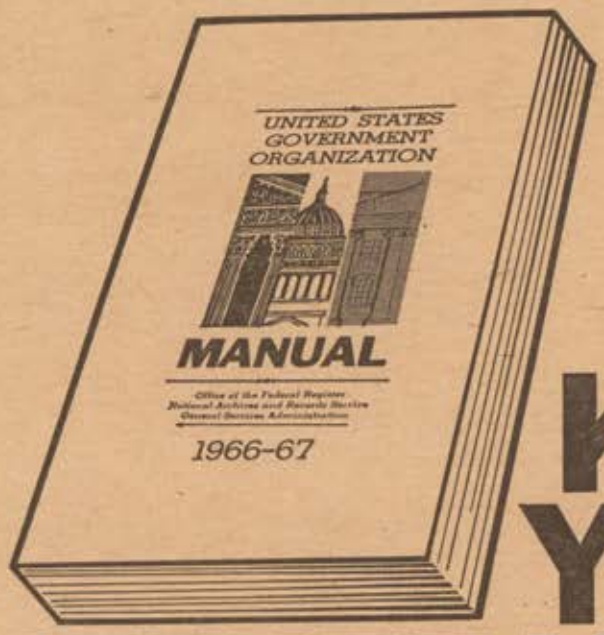

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